Justice in Manitoba
Key Indicators
1987

Manitoba
Attorney General

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JUSTICE IN MANITOBA

KEY INDICATORS

1987

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Introduction

I am pleased to be able to introduce this second volume of "**Justice in Manitoba - Key Indicators**". Information on the operation of our justice system is essential if we are to deal with the many challenges and opportunities which now confront those of us who work within the system and for the public generally. Understanding how the system works is enhanced by easy reference to key information on areas of interest. It also promotes the accountability of the justice system to those it is intended to serve -- the public.

This volume also reflects the progress we have been making in the Department of the Attorney-General on the development of better information systems and an ability to use that information effectively. More and better data is available in virtually every area. This progress will continue as the computerization of programs within the department continues.

The one area where future progress must be made is in court related information. The current absence of an effective court case tracking system affects our ability to plan and prepare for future demands. The complexity and size of the needed system has made progress slow, but we are moving ahead in this priority area as resources allow. Future publications of the **Key Indicators Report** will reflect our commitment to better court related information.

Tanner Elton
Deputy Attorney-General

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Preface

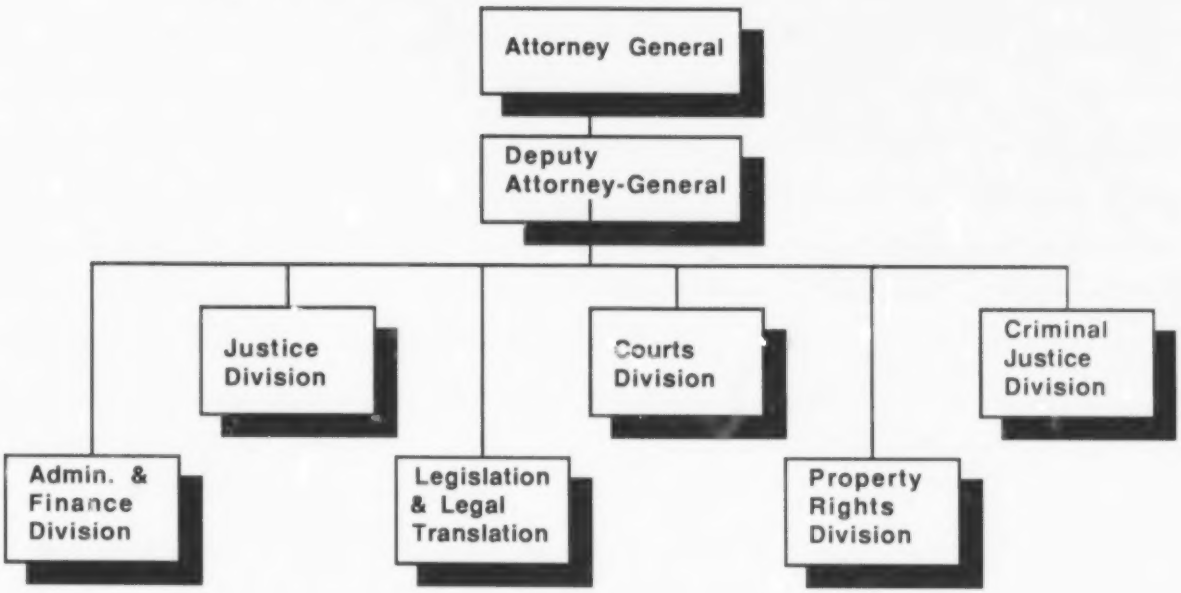
The report "Justice in Manitoba, Key Indicators 1987" is the second annual document produced for the Attorney-General's Department. The caseload statistics contained in the report serve as an indicator of the major activity levels, over time, from many of the areas in the Department. The information can be used to facilitate a variety of tasks, ranging from the planning and priorization process of management to the daily activities and operations of areas within the Department. The report is also available to outside organizations and the public in response to enquiries for information.

The current report contains caseload statistics from many of the areas in the Department including the courts and law enforcement. Three or four year periods of comparative data have been presented for most of these areas. A number of additional areas have been added to the 1987 report: Criminal Injuries Compensation Board, Law Enforcement Review Agency, Manitoba Human Rights Commission and the Probate and Orderly Payment of Debts areas of the Court of Queen's Bench. In addition, national comparisons have been incorporated, when available, for areas such as legal aid, law enforcement and criminal injuries compensation.

Not all of the areas in the Attorney-General's Department have caseload statistics available for the current report. An overall objective of the report is to provide reliable and standardized caseload indicators for all areas of the Department. In particular, it is crucial that more criminal justice and court statistics be integrated into the report. It is anticipated that more areas can be represented in subsequent reports.

MANITOBA ATTORNEY GENERAL

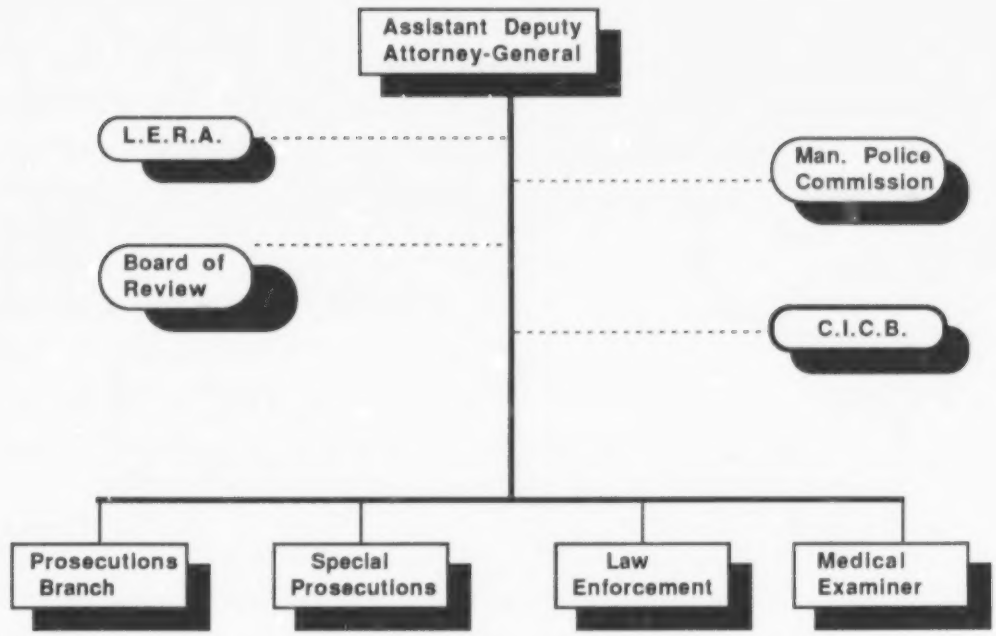
DEPARTMENTAL ORGANIZATION CHART



It is the mandate of the Department to provide:

- efficient and fair policing, law enforcement, criminal prosecutions and related services;
- courts for the efficient, orderly and impartial settlement of both criminal and civil disputes;
- legal services to government departments and agencies;
- drafting and legal translation of all laws and regulations of the legislature;
- programs and services necessary for the protection of individual and property rights; and,
- coordination of policies and programs relating to justice policy in Manitoba.

Criminal Justice Division



The objective of the Criminal Justice Division is to maintain and enhance the integrity of the Criminal Justice System in Mantoba. It consists of four branches (Prosecutions; Special Prosecutions; Law Enforcement; and Medical Examiner) and four agencies (Law Enforcement Review Agency; Criminal Injuries Compensation Board; Manitoba Police Commission; and Board of Review).

There are also a number of programs related to Victims' Services which include the Victim/Witness Program, Victims' Assistance Committee and Fund and two joint federal/provincial programs: Victim Impact Statement Project and Demonstration Project on the Videotaping of Child Sexual Abuse Victims.

LAW ENFORCEMENT SERVICES IN MANITOBA

The Law Enforcement Branch ensures the delivery of policing and law enforcement services within the province. The branch monitors and coordinates all services under its direction, deals with the RCMP in both its contract policing and federal policing roles, deals with seventeen municipal forces (the largest of which are Winnipeg and Brandon), supervises the licensing of private investigators and security guards, administers the Firearms Control legislation, conducts investigations for government departments and deals with all matters related to the provision of law enforcement services in Manitoba.

Under the supervision of a Director, the Law Enforcement Branch has a staff of nine. It utilizes the largest portion of financial resources within the Department, with the RCMP contract representing almost 40% of the Department's annual budget, or approximately $30.0 million per year.

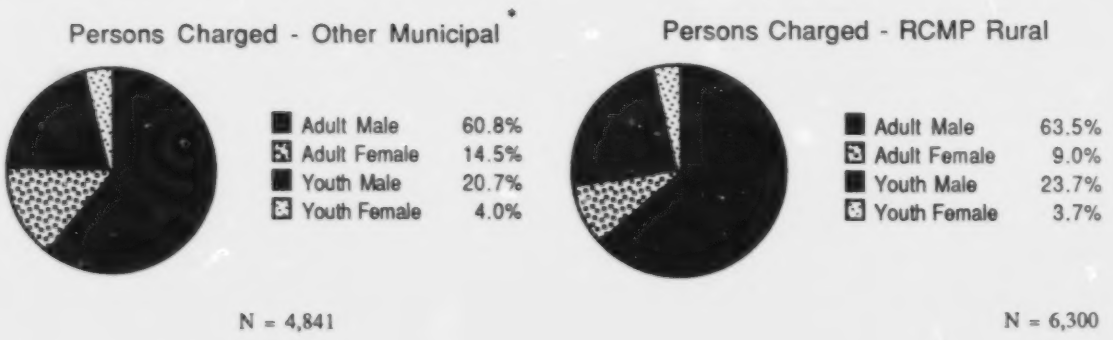
Provincial policing in Manitoba is provided by the RCMP in accordance with a Federal/Provincial agreement. The RCMP provide policing services in all rural municipalities, towns, villages, reserves, and local government districts which do not have their own municipal police. The Director of Law Enforcement monitors the services provided, and makes recommendations regarding staffing, equipment, and policies. There are 71 rural and 24 municipal RCMP detachments throughout Manitoba. In 1986/87, the Province paid 62% of the costs of maintaining the RCMP, and the Federal Government paid 38%. The Province's share increases by 2% a year to a maximum of 70% in 1990/91 when the present contract expires.

The Law Enforcement Services Branch receives enforcement statistics from police agencies in Manitoba. As such, the statistics highlighted for the report are representative of those offences which have been reported to the police and are not necessarily indicative of the actual extent of criminal activity.

LAW ENFORCEMENT SERVICES: TOTAL CRIMINAL CODE OFFENCES

* Includes Brandon and RCMP Municipal Forces

TOTAL CRIMINAL CODE: NUMBER OF PERSONS CHARGED - 1986



* Includes Brandon and RCMP Municipal Police Forces. Persons charged figures are not presently available for Winnipeg.

Criminal Code Offences	Totals				% Change		
	1983	1984	1985	1986	1984	1985	1986
PERSONS	**9049**	**9677**	**10502**	**10921**	**+6.9**	**+ 8.5**	**+ 4.0**
Winnipeg	4698	4745	5221	5670[1]	+ 1.0	+ 10.0	+ 8.6
Brandon	341	441	381	384	+29.3	-13.6	+ 0.8
RCMP							
Rural	2651	3027	3312	3274	+14.2	+ 9.4	- 1.1
Municipal	1359	1464	1588	1593	+ 7.7	+ 8.5	+ 0.3
PROPERTY	**74721**	**74791**	**76054**	**79898**	**+ 0.1**	**+ 1.7**	**+ 5.1**
Winnipeg	52278	51593	52768	56386[1]	- 1.3	+ 2.3	+ 6.8
Brandon	3648	3410	3685	4497	- 6.5	+ 8.1	+22.0
RCMP							
Rural	12618	12858	12863	11341	+ 1.9	+ 0.1	-11.8
Municipal	6177	6930	6738	7674	+12.2	- 2.8	+13.9
OTHER C.C.	**29419**	**30351**	**31425**	**34348**	**+ 3.2**	**+ 3.5**	**+ 9.3**
Winnipeg	15455	15965	17747	19778[1]	+ 3.2	+11.2	+11.4
Brandon	1472	1415	1263	1364	- 3.9	-10.7	+ 8.0
RCMP							
Rural	7673	7478	7286	7549	- 2.5	- 2.6	+ 3.6
Municipal	4819	5493	5129	5657	+14.0	- 6.6	+10.3
TOTAL C.C.[2]	**113189**	**114819**	**117981**	**125167**	**+ 1.4**	**+ 2.8**	**+ 6.1**
Winnipeg	72431	72303	75736	81834[1]	- 0.2	+ 4.7	+ 8.1
Brandon	5461	5266	5329	6245	- 3.6	+ 1.2	+17.2
RCMP							
Rural	22942	23363	23461	22164	+ 1.8	+ 0.4	- 5.5
Municipal	12355	13887	13455	14924	+12.3	- 3.1	+10.9

[1] Winnipeg totals for 1986 include projections for Q2, Q3, and Q4.

[2] Excluding the RCMP, there are 11 municipal U.C.R. police reporting agencies in the province. For the purposes of this report, only the two largest (Winnipeg, Brandon) have been included. These two municipal agencies, along with the RCMP, comprise the great majority of offence data within the province.

*A detailed breakdown of quarterly year figures, 1983-1986, for Criminal Code offences is contained in Appendix 1.

Total Criminal Code offences showed increases in the province throughout the time period 1983 to 1986, with the largest increase of 6% occurring in the most recent year. Among Criminal Code offences, the largest category of property crimes increased by roughly 3,800 offences bringing the total property offences to a high of just under 80,000 offences in 1986. Offences against persons also increased consistently over the four years with the 1986 increase of 4% being the lowest one when compared to the two previous years. The category of 'other' Criminal Code offences (the largest single categories being: wilful damage/public & private; disturbing the peace; and, bail violations) had the largest proportional increase with a 9% overall increase in the province in 1986.

A breakdown of areas in the province revealed that the 1986 increase in offences against persons was mainly attributable to Winnipeg which experienced nearly a 9% increase, whereas the remaining areas had only minor changes. Property offences showed increases ranging from 7% in Winnipeg to 22% in Brandon, with the exception of RCMP Rural which had nearly a 12% decrease. Other Criminal Code offences saw increases in all of the areas with Winnipeg and RCMP Municipal experiencing the largest proportional increases; each in excess of 10%.

LAW ENFORCEMENT: COMPARISONS BETWEEN MANITOBA AND CANADA - Total Offence Rate, 1985

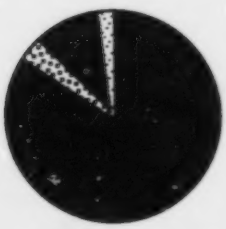
Canada

	%	Rate
Criminal Code	79.8%	8,574
Federal Statutes	3.5%	379
Provincial Statutes*	13.2%	1,418
Municipal By-Laws	3.5%	372

N = 10,743

* Excluding Traffic Offences

Manitoba



	%	Rate
Criminal Code	84.4%	11,125
Federal Statutes	3.4%	454
Provincial Statutes*	10.1%	1,334
Municipal By-Laws	2.1%	273

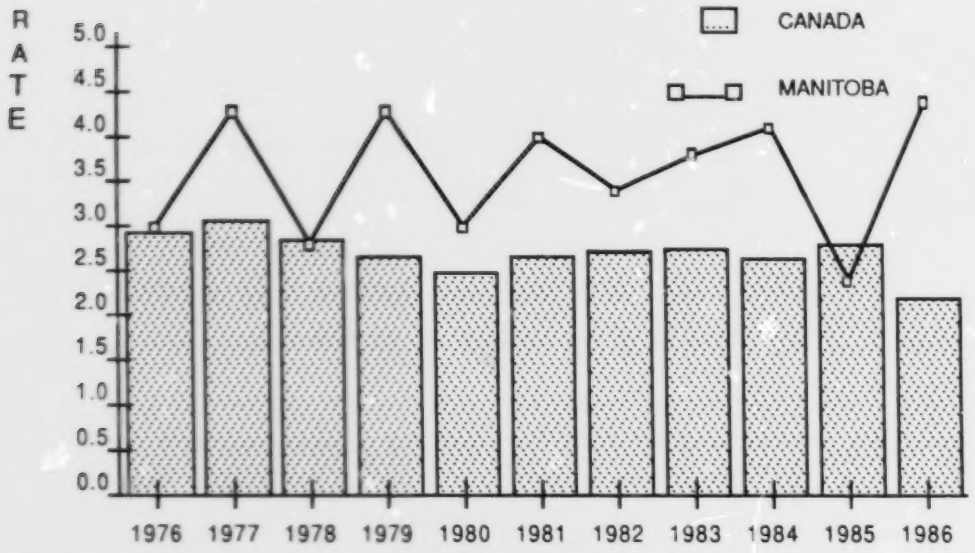
N = 13,186

* Excluding Traffic Offences

A comparison of the total offence rate for Canada and Manitoba revealed that Manitoba's total offence rate exceeded the Canadian rate by nearly 2,500 offences per 100,000. The largest difference occurred in the category of Criminal Code offences where Manitoba's rate of 11,125 was substantially higher than the national rate of 8,574 per 100,000. Criminal Code property offence rates in Manitoba accounted for most of the difference with a rate of 7,187 versus the national rate of 5,555. The highest rates for offences classified as property crimes in Manitoba were found in "theft under $200" (2,937) and "breaking and entering" (1,667) in comparison to the national rates of 2,023 and 1,407, respectively.

Federal statute offence rates for Manitoba were also higher when compared to the national rate with the largest difference occurring in the category of drug offences (primarily the offence of "possession of cannabis") where Manitoba had a rate of 240 compared to the national rate of 173. However, the provincial statute (excluding traffic offences) and municipal by-law rates per 100,000 in Manitoba were lower than the national rate.

RATE OF HOMICIDE* IN CANADA AND MANITOBA
1976 TO 1986
[per 100,000 population]



*Includes murder, manslaughter and infanticide. The great majority (91%) of homicide offences between 1976 and 1985 were classified by the police as murders.

The number of homicide offences in Canada remained relatively stable during the ten year period 1976-1985. During this period there were an average of 663 homicide offences committed each year in Canada. This represents an average rate per 100,000 population of 2.75. Preliminary data for 1986 show that nationally the total number of homicides dropped by 20% from 1985 to 1986 (704 in 1985 to 561 in 1986).

With the exception of 1985, the rate of homicide in Manitoba was higher than the national rate for the 10 year study period (1976 to 1985). The average rate of homicide in Manitoba was 3.61 compared to the national average of 2.75 for the 10 year period (1976 to 1985).

In 1986, Manitoba's rate of homicide was substantially higher than the national rate (4.4 compared to 2.2 per 1,000 population, respectively). While the national rate of homicide decreased by 20% from 1985 to 1986, Manitoba experienced an 81% increase (26 in 1985 to 47 in 1986). It is difficult to account fully for this increase, however, it should be noted that the rate of homicide in Manitoba in 1985 was uncharacteristically low, thereby inflating the percentage increase in 1986. In addition, the rate of homicide (per 1,000 population) in Manitoba in 1986 is higher in the northern part of the province (north of the 53rd parallel), than it is in the southern part of the province (10.8 compared to 4.1 per 1,000 population respectively)

OFFICE OF THE CHIEF MEDICAL EXAMINER

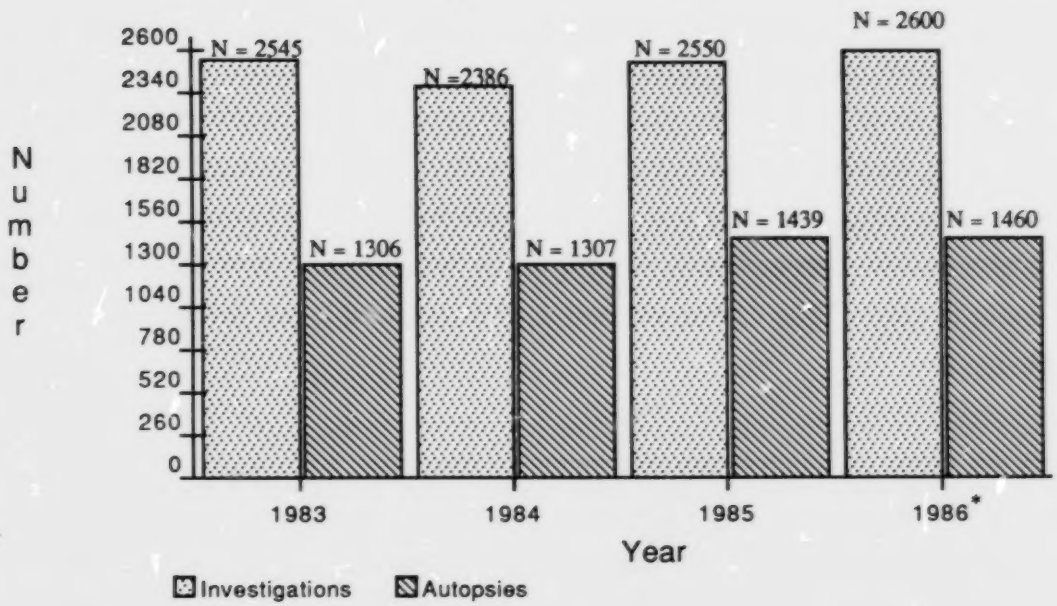
The Chief Medical Examiner's Office is a quasi-judicial operation which functions under the authority of The Fatality Inquiries Act. It provides for the proper and efficient investigation of all violent, unexplained, unexpected, and suspicious deaths within Manitoba. The investigation may include an examination of the scene, a thorough post-mortem examination including autopsy when required, and certification of cause and manner of death. The complexity and sophistication of these procedures vary in each situation.

Inquests are called by a committee that meets on an ad hoc basis when required. The purpose of an inquest is to make recommendations that will contribute to the safety and benefit of others from the circumstances surrounding a death. An inquest can also be ordered to determine fault or safety violations; to absolve a person, a company, or an institution; to make a public record; to clear the air; or, to satisfy public demand.

The Office has an important role in forensic pathology for educational, statistical, and research purposes. It also provides a broad range of health services such as grief counselling, supportive nursing care, family needs assessment, and working to increase public awareness of the organ donor program.

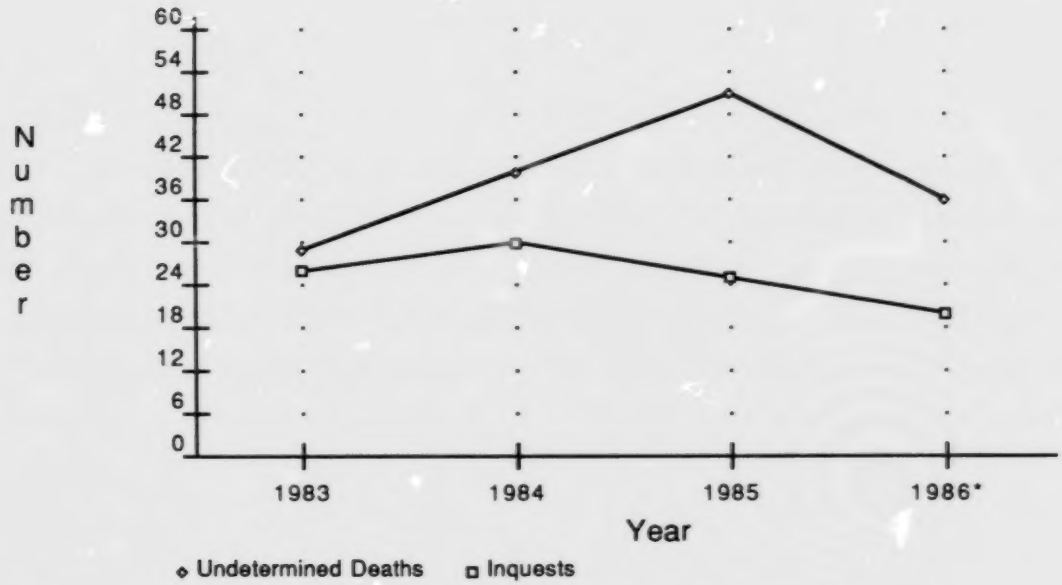
The Chief Medical Examiner is assisted by a staff of five, including two full-time Medical Examiner's Investigators. Other physicians in the province may be appointed by the Chief Medical Examiner to function as Medical Examiners. There are currently 76 Medical Examiners in Manitoba, 14 of whom are geographically located in Winnipeg. They have full authority under the jurisdiction of The Fatality Inquiries Act, which allows them to order autopsies without the consent of the next-of-kin and recommend inquests as necessary.

OFFICE OF THE CHIEF MEDICAL EXAMINER: ACTIVITY AREAS



* Figures for 1986 are preliminary; final figures available in July/87.

OFFICE OF THE CHIEF MEDICAL EXAMINER: UNDETERMINED DEATH AND INQUEST INDICATORS



* Figures for 1986 are preliminary; final figures available in July/87.

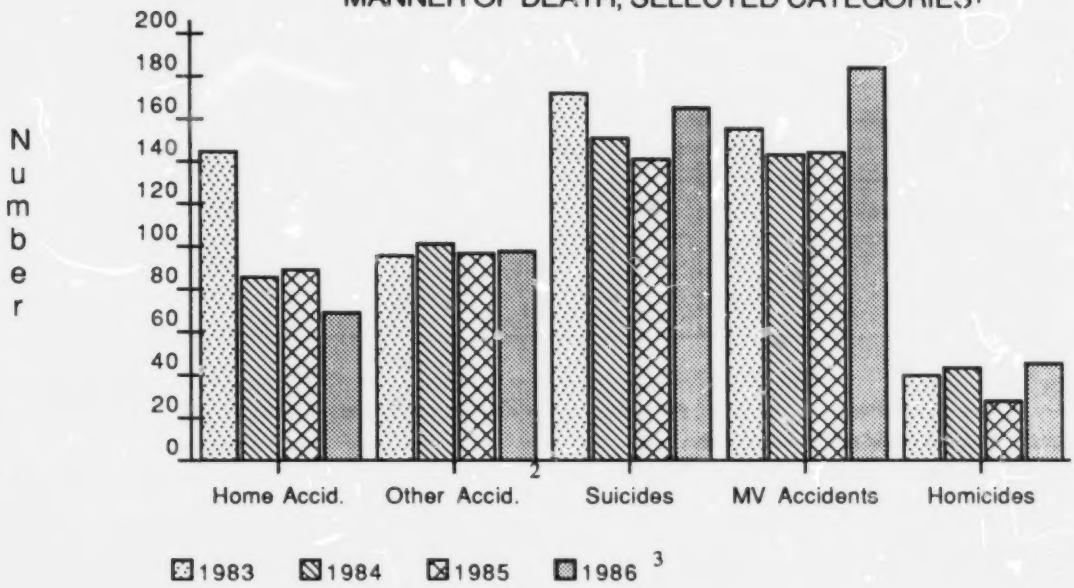
Indicator Area	Number				% Change		
	1983	1984	1985	1986*	1984	1985	1986
Investigations	2,545	2,386	2,522	2,600	- 6.2	+ 5.4	+ 3.0
Autopsies	1,306	1,307	1,456	1,460	+ 0.1	+10.2	+ 0.3
Undetermined Deaths	29	40	51	36	+27.5	+21.6	-29.4
Inquests	26	30	25	20	+13.4	-16.7	-20.0

*NOTE: The figures for 1986 are preliminary and will be finalized by July/87 pending the completion of investigations and inquests. In addition, the term "undetermined deaths" refers to those cases where the actual manner of death could not be ascertained.

The number of investigations and autopsies performed saw modest increases from 1985 to 1986, with each area peaking in the most recent year. There were between 51% - 58% of the investigations conducted for each of the four years which included an autopsy, reaching a height in 1985 at 58%.

Undetermined deaths reverted from substantial increases of more than 20% in 1984 and 1985 to a 29% decrease in 1986. A trend in the reduction of inquests occurred in 1985 and 1986, after having peaked in 1984.

FATALITY INQUIRY ACT STATISTICS 1983 - 1986:
MANNER OF DEATH, SELECTED CATEGORIES[1]



[1] Excludes 'Undetermined Deaths' and 'Natural Deaths' which constituted roughly 2% and 75% respectively, of the fatalities for any of the 4 years examined.

[2] Includes 'Accidents in Other Places' and 'Industrial Accidents' of which the latter category constituted from 13% - 21% of 'Other Accidents' per year over the 4 year period.

[3] Figures for 1986 are preliminary.

The categories of motor vehicle accidents and suicides were the largest categories after natural deaths (which averaged 1,918 per year) and fluctuated between being the second and third largest categories over the years examined with average numbers of 157 and 158, respectively. Accidents in the home and other accidents followed, with the former generally declining over the time period while the latter was the larger category of the two from 1984 to 1986. Homicides averaged 39 in number from 1983 to 1986, while dropping in 1985 to 28 and peaking in 1986 at 46.

Percentage changes in the fatality inquiry categories from 1985 to 1986 revealed that most of the categories experienced increases including homicides (+64%), motor vehicle accidents (28%) and suicides (18%) while accidents in the home (-22%) and undetermined deaths (-20%) saw decreases. Natural deaths and other accidents remained stable (with minor increases of 1% or less).

Gender differences for 1986 revealed that females accounted for 36% of the

total fatalities with the remaining 64% being male. Male/female proportions for individual categories where females constituted 30% or more of the fatalities included the following: undetermined deaths (44%); natural deaths (39%); accidents in the home (48%); and, homicides (35%). Conversely, females represented less than 30% for the following fatalities: motor vehicle accidents (29%); suicides (25%); and, accidents in other places (12%).

THE CRIMINAL INJURIES COMPENSATION BOARD

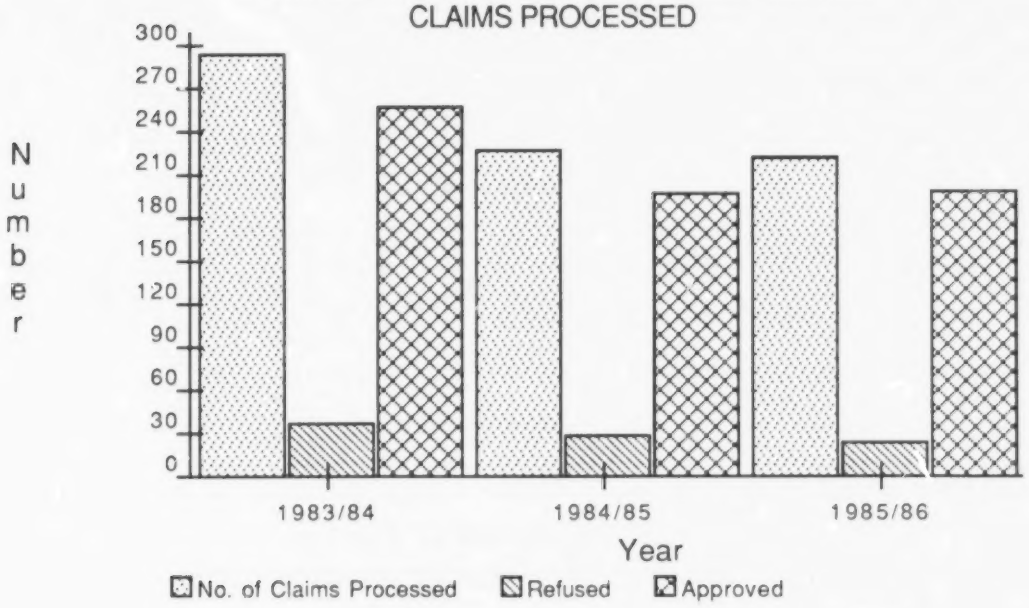
The Criminal Injuries Compensation Act came into effect in July, 1970 and provides for benefits to injured victims of crime or their dependents in an amount similar to compensation paid to workers under The Workers Compensation Act. The Criminal Injuries Compensation Board handles the claims for assistance.

Any person who is an innocent victim of crime and sustains an injury, or who is injured while attempting to arrest any person, preserve the peace, or assist a police officer, may file a claim with the Criminal Injuries Compensation Board. The Board will also provide benefits to a surviving spouse, parent, child or other dependent of someone injured or killed in the above circumstances. Compensation can include funeral expenses, maintenance of dependents, or wage benefits for the injured person.

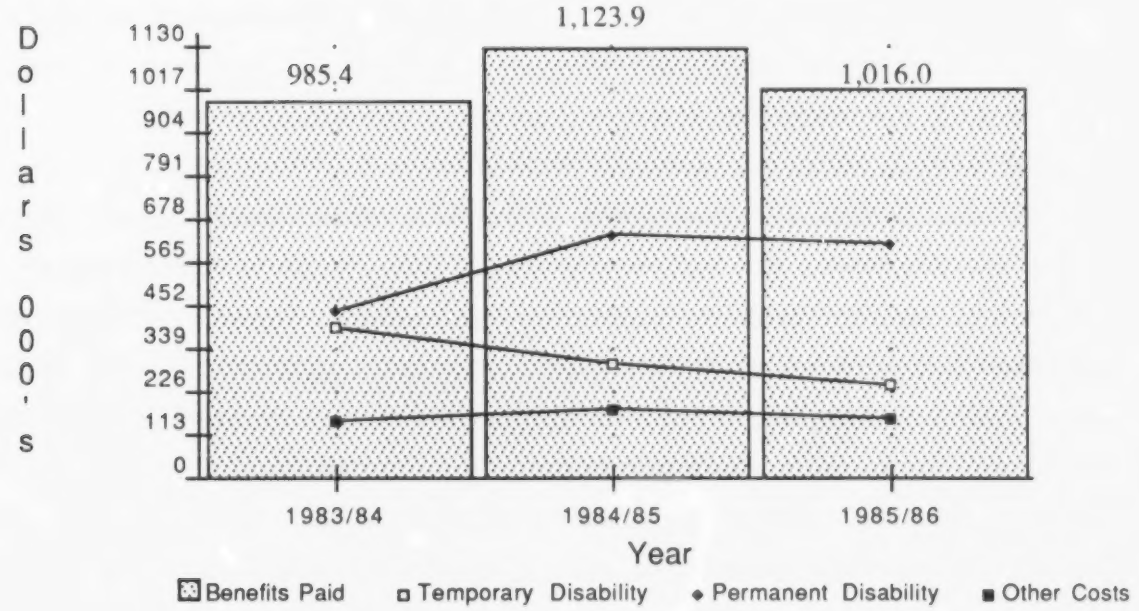
Staff currently comprises a Registrar, an Assistant to the Registrar, and a secretary for support services. The Workers Compensation Board of Commissioners establishes policies and criteria for the operations of the Criminal Injuries Compensation Board, and support services are provided by the Finance/Accounting, Medical Services and Vocational Rehabilitation Services Departments of the Workers Compensation Board.

Over a million dollars is paid out annually in benefits. An appeal process was established in 1984, but only a small number of initial decisions were appealed in 1985-86. The volume of inquiries is increasing as more people are made aware of the program through victim services, local police, and other sources.

CRIMINAL INJURIES COMPENSATION BOARD: CLAIMS PROCESSED



CRIMINAL INJURIES COMPENSATION BOARD: BENEFITS PAID



Indicator Area	Number			% Change	
	1983/84	1984/85	1985/86	1984/85	1985/86
No. of Claims Processed	293	226	221	- 22.9	- 2.2
- Refused	36	29	23	- 19.5	- 20.7
- Approved	257	197	198	- 23.4	+ 0.5
Benefits Paid ($ 000's)	985.4	1,123.9	1,016.0	+ 12.3	- 9.6
- Temporary Disability	392.4	298.8	247.5	- 23.8	- 17.2
- Permanent Disability	442.0	641.6	614.0	+ 31.0	- 4.3
- Other Costs*	151.0	183.5	154.5	+ 17.7	- 15.8

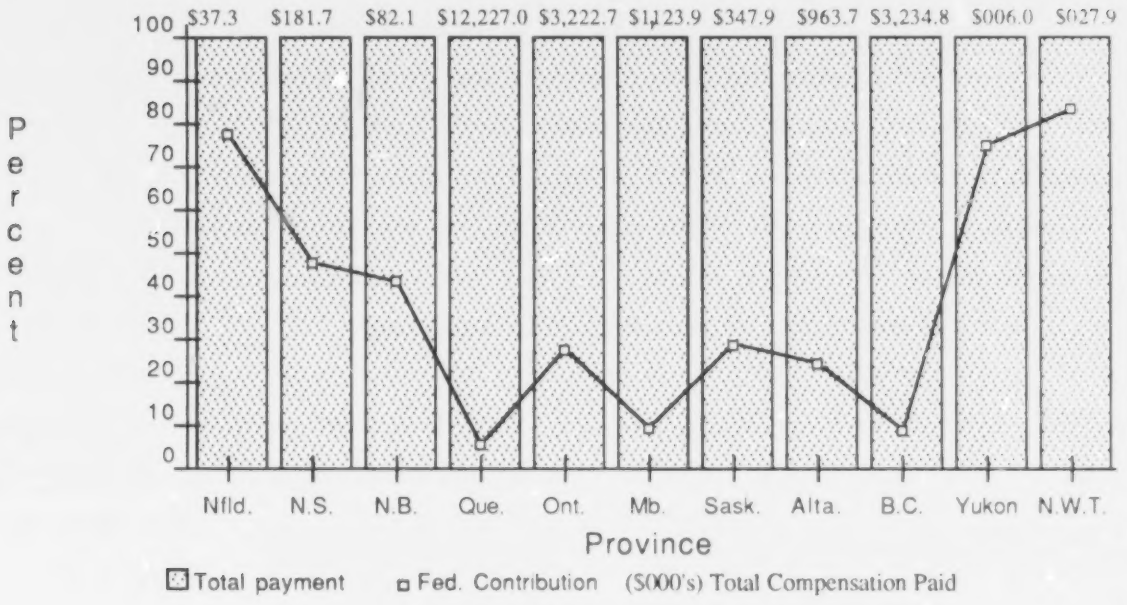
*Includes Attendants Allowance, Medical/Dental/Travelling/Clothing Costs & Rehabilitation Cash Benefits.

While the number of claims processed and approved decreased in 1984/85, these same areas remained relatively stable in 1985/86 when compared to the previous fiscal year. The major difference in the claims processed in 1985/86 occured in refused claims which saw a 20.7% decrease. The claims filed for each of the three years examined, revealed that males constituted at least 70% of the claimants while the great majority of claims filed were from Winnipeg (85%) with the remaining claims from Brandon (2%) and other areas of the province (13%) for each of the years.

The outcome of the appeals made relating to claims, medical aid and/or rehabilitation decisions was available at the final appeal level with the Board of Commissioners for the last two fiscal years. In 1984/85, there were 7 appeals that resulted in 3 previous decisions rescinded, 1 amended, and 3 confirmed while 1985/86 contained 2 appeals that resulted in 1 previous decision rescinded and 1 confirmed.

The total benefits paid out for compensation were highest in 1984/85 with substantial increases in the areas of permanent disabilities and other costs while temporary disability benefits decreased by nearly 25%. The fiscal year 1985/86 had decreases in all of the benefit areas; most notably in the areas of temporary disabilities and other costs. In addition, the benefits paid for temporary and permanent disabilities shifted over the three fiscal years with temporary disability benefits decreasing from 40% to 24% from 1983 to 1986 while permanent disability benefits increased from 40% to 60% of the total benefits paid over the same time period.

CRIMINAL INJURIES COMPENSATION IN CANADA 1984-85:
FEDERAL CONTRIBUTION AS A PERCENTAGE OF COMPENSATION



Comparative information across Canada was available from "Criminal Injuries Compensation in Canada 1985" (Dept. of Justice, Canada). As illustrated in the above chart, there were wide variations in the federal contributions for criminal injuries compensation to jurisdictions in the country. Jurisdictional differences ranged from a high of 83.1% in the N.W.T.'s to a low of 5.3% in Quebec. Manitoba received the third lowest federal contribution at 9.4% while B.C. received an 8.8% federal contribution for the total compensation costs. The federal contribution was affected by the type of agreement and the costs for each jurisdiction. The agreement for federal contribution for Manitoba is based on population, so that the federal funds have remained relatively constant over the last 5 years while compensation costs in Manitoba have nearly tripled over the same period to a total of $1,123.9 million in 1984-85.

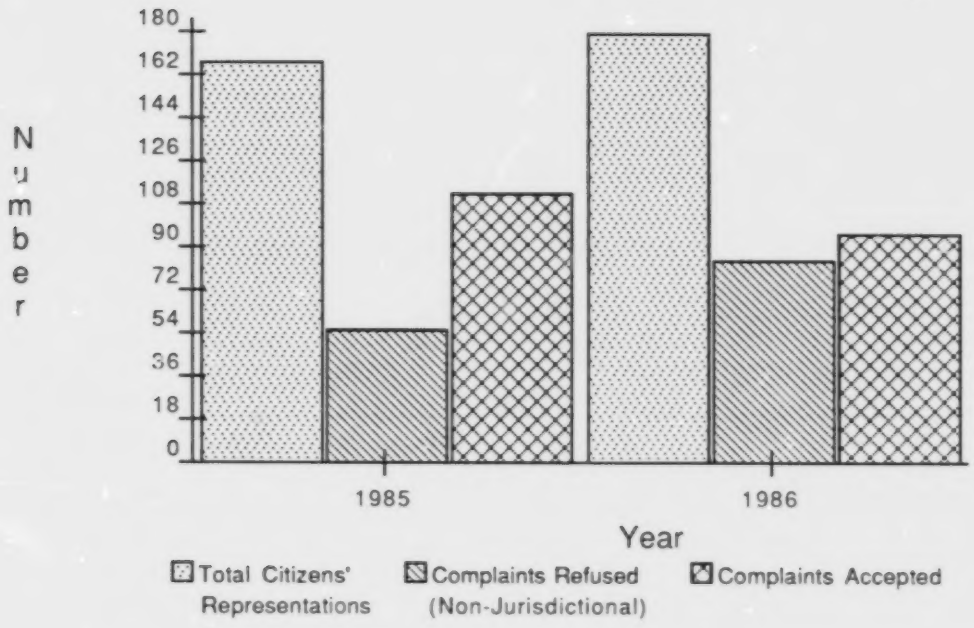
Similarly, the total cost of compensation per jurisdiction varied considerably: Quebec ($12.3 million); Ontario ($3.2 million); Manitoba ($1.1 million); and Saskatchewan ($0.3 million). The large differences in total compensation costs were reflected in the cost per capita with Manitoba emerging with one of the richest compensation plans ($1.06) along with Quebec ($1.88) and British Columbia ($1.13). By contrast, Ontario's per capita cost for compensation was $0.36.

LAW ENFORCEMENT REVIEW AGENCY

The Law Enforcement Review Agency began operating on February 1, 1985 under the Law Enforcement Review Act. The Agency is staffed with a full-time Commissioner and Registrar along with a 12 member board. Since the Winnipeg Police Department comprises over 90% of the municipal police officers in the Province, coming within the jurisdiction of The Law Enforcement Review Act, that department accounts for almost the whole of the Agency's workload. L.E.R.A. does not have jurisdiction over the R.C.M.P., which has its own internal disciplinary mechanism.

L.E.R.A. receives and investigates public complaints against all municipal-appointed police officers (non-R.C.M.P.). It adjudicates and attempts to resolve complaints which are determined to be valid, as well as rejecting complaints which are found to be invalid or outside of the Agency's jurisdiction. When cases are not resolved by any of the above methods, the complaint is referred to the L.E.R.A. Board for a formal hearing. Referral to the Board can be made by the L.E.R.A. Commissioner when an informal resolution is not achievable or by the Manitoba Police Commission when it overrules a decision by the L.E.R.A. Commissioner to take no further action.

LAW ENFORCEMENT REVIEW AGENCY: MAJOR ACTIVITY AREAS



LAW ENFORCEMENT REVIEW AGENCY: DISPOSITIONS FOR 1986

Indicator Area	1985	1986	% Change 1986
Total Citizens' Representations	167	179	+ 7.2
Complaints Refused (Non-Jurisdictional)	55	84	+52.7
Complaints Accepted	112	95	-15.2
Disposition			
No Further Action	33	43	
Withdrawn	25	18	
Informal Resolution	25	22	
Referred to Board	3	10	
Admission By Officer	-	1	
Total	86	94*	+ 9.3
Files Carried Over	26	27	+ 3.8

* Of the 94 cases disposed, 68 cases were from 1986 while the remaining 26 cases were from the 1985 files carried over.

A slight increase of just over 7% was seen in the total citizens' representations from 1985 to 1986. Among the representations made, there was an approximate one-third increase in the number of complaints refused (not within the scope of Act and/or time expired) along with a 15% decrease in complaints accepted in 1986. However, with the combined dispositions from 1985 files carried over (n=26) and those from 1986 (n=68), there was a 9.3% increase in the number of dispositions rendered by L.E.R.A. for 1986.

Among the disposition categories for the two years examined, "no further action" was the most common outcome and occurred when it was determined that the complaint did not constitute a disciplinary default as set out in the Act or when it was deemed frivolous/vexatious. The dispositions of complaint withdrawn and informal resolution followed in frequency. Only one instance of an admission by an officer of a disciplinary default occured during the two years, and resulted in an admonishment for the officer involved.

Detailed information on the complainant and circumstances of the complaint for

total citizens' representations was available. Gender of the complainant revealed that males comprised 84% in 1985 and 66% in 1986 with the proportion of female complainants more than doubling from 16% to 34% for the same years. Age of the complainant for each of the two years saw the category of "18-30 years" comprising the majority of complaints followed closely by the "over 30 years" category. The proportion of juvenile complaints (under 18 years) decreased from 13% to 4% over the two years.

The type of allegation involved in the complaints for 1986 revealed the following:

TYPE OF ALLEGATION*	1986 NUMBER
Using unnecessary violence or excessive force	43
Using oppressive or abusive conduct or language	45
Being discourteous or uncivil	29
Discrimination	1
Damaging property or failing to report the damage	3
Making a false statement, or destroying, concealing or altering any official document or record	2
Arrest without reasonable or probable grounds	7
Other	4
TOTAL	134

*Some complaints involved multiple allegations

The location of the incident indicated in 1986 that the locations of the street (37%) and public building/place or police station (35%) were the most frequent. The legal involvement of the complainant in 1986 most often involved no charges (34%), followed by traffic violations (18%). Finally, the time of day the incident occurred revealed more incidents occurred during the night (8 pm - 8 am/56%) than during the day (8 am - 8 pm/44%) in 1986.

CRIMINAL PROSECUTIONS

The Prosecutions Branch provides for the prosecution of criminal offences in Manitoba, including the prosecution of provincial, Criminal Code, and some federal offences, young offenders prosecutions under the Young Offenders Act (Canada), and special prosecutions related to particularly intricate cases invc'ving commercial fraud or other serious matters.

The Director of Criminal Prosecutions supervises 53 other lawyers and support staff. Personnel are based in several Winnipeg locations, as well as Brandon, Dauphin, Portage la Prairie, The Pas and Thompson. There are various court circuits which operate out of each area. Crown prosecutors are assigned on a rotation basis to the various circuits, and travel with the court to the different centres along the route. A group of three lawyers handles the special prosecution cases.

Statistics from Criminal Prosecutions are not available for this report. It is anticipated that a system of indicator statisitics will be developed and available in the near future.

MANITOBA POLICE COMMISSION

The Manitoba Police Commission, instituted under the provisions of the Provincial Police Act, is an independent researching, standardizing, and coordinating body that works to promote the prevention of crime, the efficiency of police services and police/community relations in the province. It handles inquiries and considers appeals from disciplinary procedures within the non-RCMP municipal police force.

The Commission, which usually meets monthly, has six persons on its executive, in addition to a chairperson. It hears appeals of decisions from other police commissions. The majority of complaints are first-time complaints and are referred to local police. The Commission hears only appeals.

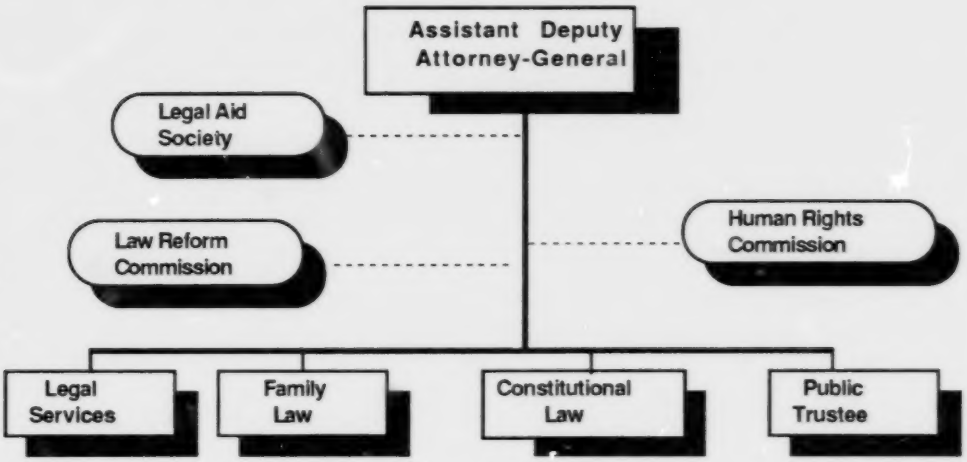
As part of the (Manitoba) Crime Prevention Committee, the Commission stocks a variety of pamphlets and booklets on a number of crime prevention programs which are made available to the public, businesses, law enforcement agencies, and other interested groups.

BOARD OF REVIEW

The Board of Review was established under Section 547 of the Criminal Code (Canada) to review the cases of persons found unfit to stand trial, or found not guilty by reason of insanity, who are being detained under Lieutenant-Governor's warrants. The Board consists of five persons, under the direction of a chairperson, and meets on a regular basis to review reports from doctors, psychiatrists, social workers, and families of those under review. The Board meets personally with each person being detained at least once a year. If a person is declared fit to stand trial after a period of treatment, the Board will recommend return to the court system. Counsel to the Board is located in the Constitutional Law Branch of the Department.

Twenty-nine persons were being detained as of March 31, 1986, twenty-six male and three female, for offences including murder, assault causing bodily harm and sexual assault. Twenty-one were found not guilty by reason of insanity, and eight were found unfit to stand trial. Thirteen were detained at the Selkirk Mental Health Centre; two at Stony Mountain Penitentiary; one at the Regional Psychiatric Centre in Saskatoon; four at Headingly Correctional Institution; one at Brandon Mental Health Centre; one at the Regional Psychiatric Centre in Abbotsford, B.C.; two in care homes; and five were living outside of institutions under supervision.

JUSTICE DIVISION



The Justice Division is responsible for legal services in non-criminal matters. It provides a full range of legal services to the Government of Manitoba and its departments and agencies, which includes the provision of legal advice and the carrying out of litigation on behalf of the Government.

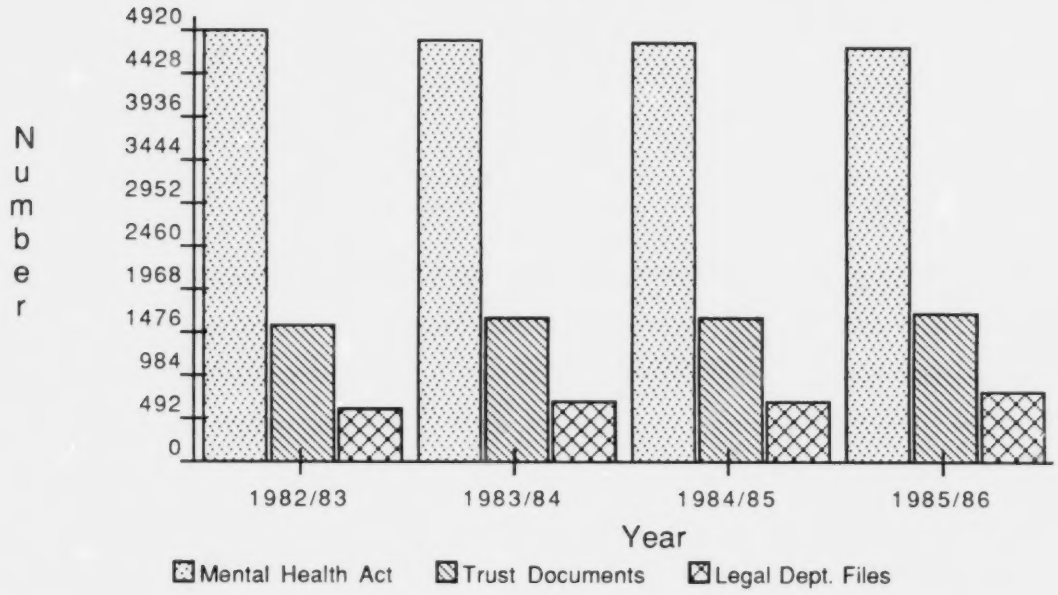
The Division is comprised of four branches (Legal Services; Family Law; Constitutional Law; and, The Public Trustee) and three agencies (Legal Aid Society of Manitoba; The Law Reform Commission; and, The Manitoba Human Rights Commission).

THE PUBLIC TRUSTEE OF MANITOBA

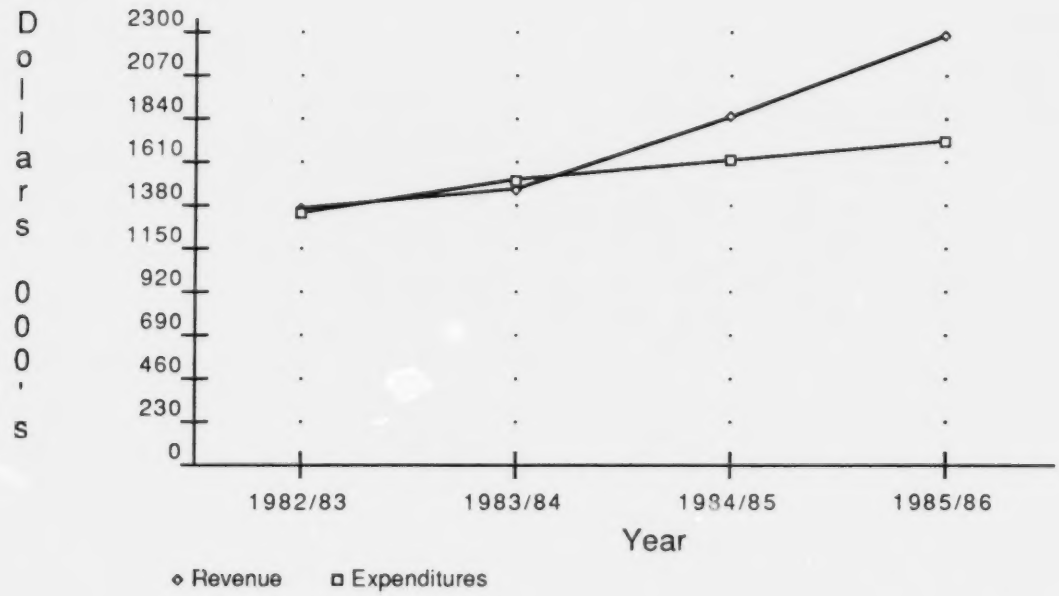
Originally established in 1973, the Public Trustee of Manitoba operates under the provisions of the Public Trustee Act. The Office consists of the following areas: Mental Health, Deceased Estates, Trust, Legal, Accounting and Administration. In addition to a staff which includes lawyers, accountants, and inspectors, each division has a director who reports to the Public Trustee.

The Public Trustee acts to preserve and protect the estates and interests of those persons who are incapable of managing their own property. Persons who have no one to represent them in the management of their affairs, persons who have died leaving no traceable heirs, minors who have had the Public Trustee appointed as their legal guardian, and mentally disordered persons can have their affairs administered by the Office of the Public Trustee.

THE PUBLIC TRUSTEE OF MANITOBA: MAJOR ACTIVITY AREAS



THE PUBLIC TRUSTEE OF MANITOBA: REVENUE/EXPENDITURES



Activity Area	Number				% Change		
	1982/83	1983/84	1984/85	1985/86	1983/84	1984/85	1985/86
Mental Health Accts.	4,916	4,816	4,784	4,738	- 2.0	- 0.7	- 1.0
Trust Accts.	1,557	1,646	1,632	1,692	+ 5.4	- 0.8	+ 3.7
Legal Dept. Files	602	670	686	806	+10.1	+ 2.3	+ 17.5
Revenue ($ 000's)	1,364.2	1,470.1	1,853.4	2,291.5	+ 7.1	+24.1	+ 23.6
Expenditures ($ 000's)	1,336.0	1,522.7	1,623.4	1,719.7	+12.2	+ 6.2	+ 5.9
Dollars Under Administration ($ 000's)							
Trust Division	16,165.2	19,709.7	20,971.7	24,059.7	+ 18.0	+ 6.0	+ 14.7
Mental Health Div.	32,263.4	42,288.8	50,229.0	59,412.8	+ 23.7	+15.8	+ 18.3

Information for the above activity areas was obtained from the Annual Reports for The Public Trustee of Manitoba. Mental Health Accounts have remained relatively stable over the entire time period, having experienced only minor decreases. Trust accounts (deceased estates/infant trusts) have undergone minor fluctuations with infant trusts gradually growing from 52% in 1982/83 to 56% in 1985/86 while deceased estates have decreased from 48% to 44% over the same time period. Legal department files experienced the largest growth; most noticeably a 17.5% increase over the last two years.

The steady annual growth in both revenue and expenditures revealed that revenue has increased at a much higher rate with a 23.6% increase compared to an expenditure increase of 5.9% over the most recent two year period. The dollars under administration in both the trust and mental health divisions continued to grow considerably over the entire time period. Mental health division dollars under administration have grown at a faster rate, having nearly doubled from 1982 to 1986.

LEGAL AID MANITOBA

Legal Aid provides legal services to individuals, groups, and organizations who could not otherwise afford the services of a lawyer. It provides representation in all serious criminal and most civil matters. It also has an outreach program which includes working with senior citizens, youth, low income groups, and other organizations.

The services provided by Legal Aid are categorized as either mandatory (public policy matters) or discretionary (organizational policy matters). The major distinction between mandatory and discretionary services is that the former shall be provided while the latter may be provided subject to the discretion of the area director or the executive director; provided that financial eligibility guidelines are met for each of the services.

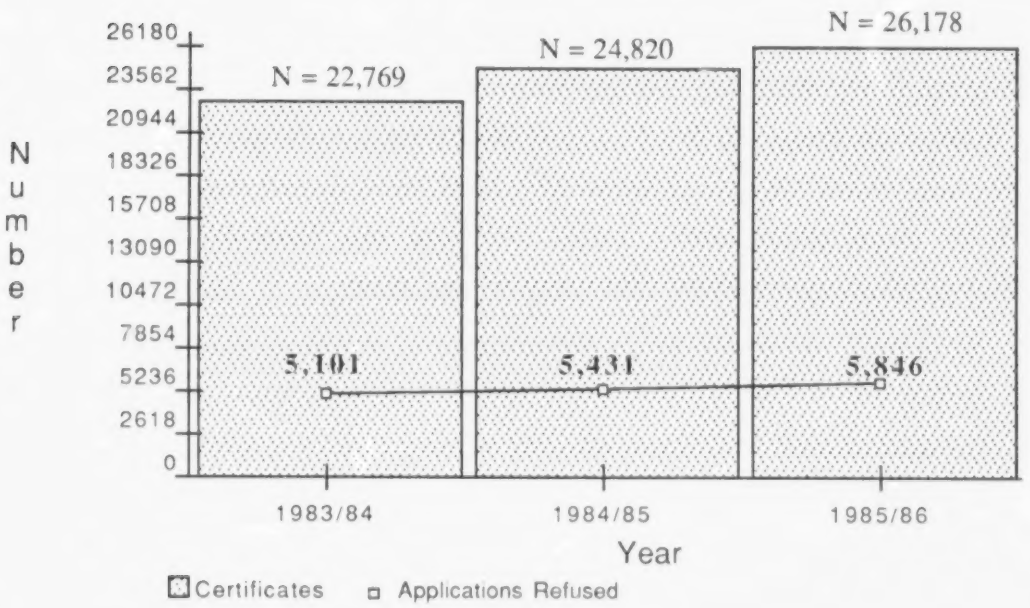
In general, mandatory services cover indictable offences for which there is the likelihood upon conviction that there will be a term of imprisonment or the loss of a means of earning a livelihood or other special circumstances where the provision of Legal Aid is warranted. Discretionary services, on the other hand, are determined by the plan and the Province and range from summary conviction or by-law infraction proceedings (where prison, loss of the means of earning a livelihood are likely, or other special circumstances exist) to public interest cases affecting members of a group who are seeking a legal remedy to an issue.

Financial eligibility criteria for individual clients include an assessment of the following factors in order of importance: gross family income (social assistance applicants are automatically eligible); assets; debts; and, probable cost of legal fees. The financial eligibility guidelines for individual clients were given increased cut-off points for income in 1986 based on the number of family members, with the largest increases seen for families with three or more

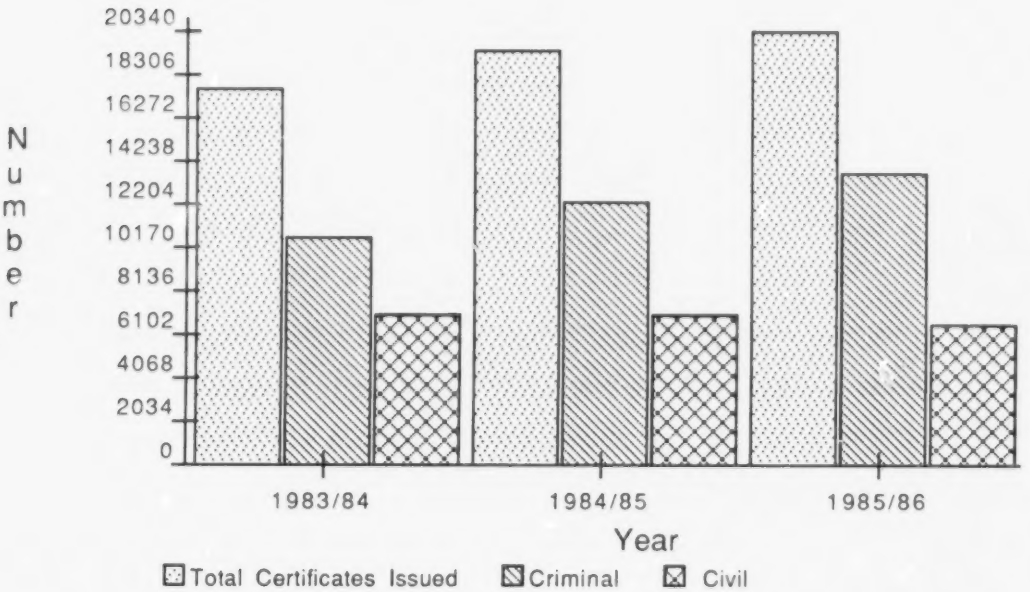
members. Group eligibility criteria are less clearly defined and usually involve a case-by-case assessment.

The Legal Aid staff of 90, including 30 full-time lawyers, operate from 10 offices throughout Manitoba. There are five offices in Winnipeg, including an office at the University of Manitoba, an advice office in Selkirk, and community law centres in Brandon, Dauphin, The Pas, and Thompson. A Board of Directors sets policy and hears appeals of those who have been turned down in their requests for legal assistance. Legal Aid also maintains a panel of approximately 800 private lawyers who take on legal cases.

LEGAL AID: TOTAL APPLICATIONS FOR CERTIFICATES



LEGAL AID: CERTIFICATES ISSUED



Indicator Area	Number				% Change		
	1982/83	1983/84	1984/85	1985/86	1983/84	1984/85	1985/86
Applications for Certificates	22,325	22,769	24,820	26,178	+ 2.0	+ 8.3	+ 5.5
Applications Refused	4,839	5,101	5,431	5,846	+ 5.1	+ 6.1	+ 7.6
Total Certificates Issued	17,486	17,668	19,389	20,332	+ 1.0	+ 8.9	+ 4.9
Criminal	9,985	10,649	12,372	13,728	+ 6.2	+13.9	+11.0
Civil	7,501	7,019	7,017	6,604	- 6.4	- 0.03	- 5.9
Total Expenditures ($ 000's)	6,981.1	8,362.5	8,275.2	8,521.3	+16.5	- 1.0	+ 3.0

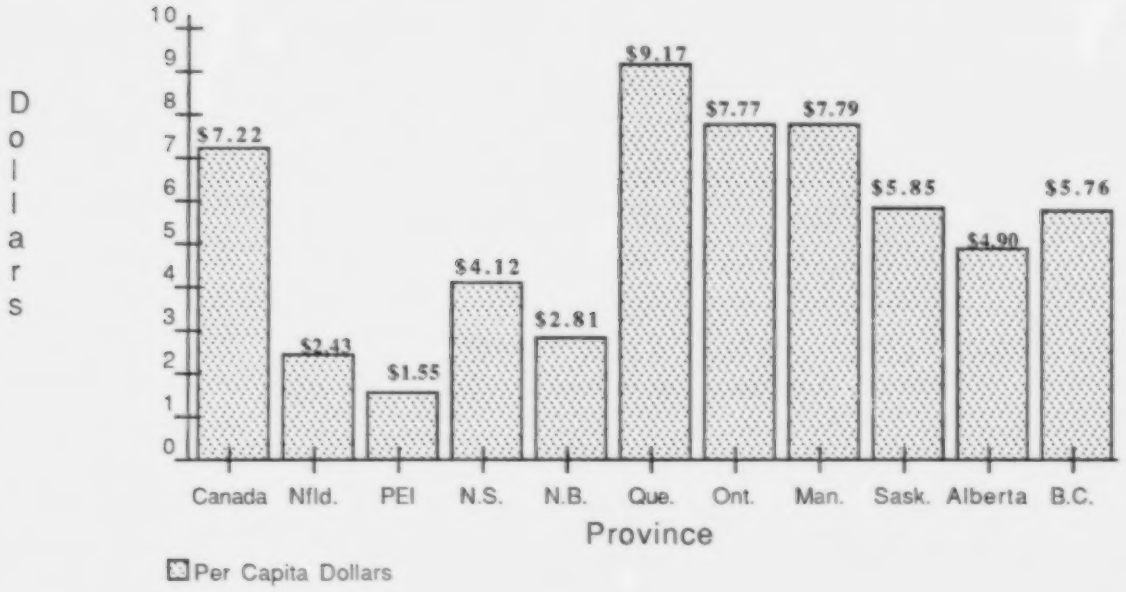
The demand for legal aid representation, represented by applications for certificates, rose steadily over the four years examined. The number of refusals, while increasing overall during the time period, remained constant and represented just over 20% of the total applications for certificates. Expenditures also increased over time with modest increases over the last two year period.

A breakdown of the total certificates issued indicated that a steady rise in number was linked to a continuing increase in criminal certificates which rose from 57% to 68% over the period 1982/83 to 1985/86. By contrast, civil certificates declined over the same period.

Information available for 1986 indicated that in addition to the 20,332 individual formal legal representations provided through Legal Aid Manitoba, many others were assisted. There were approximately 19,400 individuals who obtained information and advice while roughly 24,400 were assisted by duty counsel. Private lawyers handled 70% of the formal representation, with Legal Aid staff handling the remainder. In addition, well over one-half of the people who received formal representation were recipients of social assistance, or had incomes which would have made them eligible for social assistance.

Finally, the Board of Directors considered 301 refusal appeals, which resulted in 80 people being granted certificates. 198 taxation appeals were considered, with 147 being granted some increase over the original taxation.

PER CAPITA EXPENDITURE LEGAL AID:
CANADA AND THE PROVINCES - 1984/85



NOTE: Per capita expenditures for the Northwest Territories and the Yukon Territory were $37.49 and $34.93 respectively.

The national per capita expenditure for legal aid in 1984/85 was $7.22 ($182.1 million), with considerable variations seen amongst the provinces. Per capita expenditures were lowest in the Maritime provinces followed by those provinces west of Manitoba; all of which were well under the national per capita expenditure. Conversely, the highest provincial per capita costs were found in Quebec ($9.17), Manitoba ($7.79), and Ontario ($7.77). The N.W.T.'s and the Yukon had the highest per capita costs of over $30.00 each, reflecting the high cost of delivering services to the North in small isolated communities.

The net provincial government contribution as a proportion of total legal aid expenditure in 1984/85 for the country was 52% with Manitoba's provincial government contribution at 45%. In fact, most Canadian jurisdictions had higher contributions than Manitoba, ranging from 51% in Ontario to 69% in Saskatchewan and the Yukon. The offsetting of provincial government costs for Manitoba may be at least partially explained by the fact that Manitoba was one

of only four jurisdictions which received a federal government contribution to civil legal aid.

The payments made to private law firms as a proportion of total expenditure for legal aid in the country was 53% (95.6 million) in 1984/85. Manitoba's proportion of payment to private law firms was similar at 56% for the same year. Those jurisdictions exceeding Manitoba's proportion were: Ontario (67%); Alberta and Nova Scotia (75% each); and, the Yukon (94%) with the remaining jurisdictions below Manitoba.

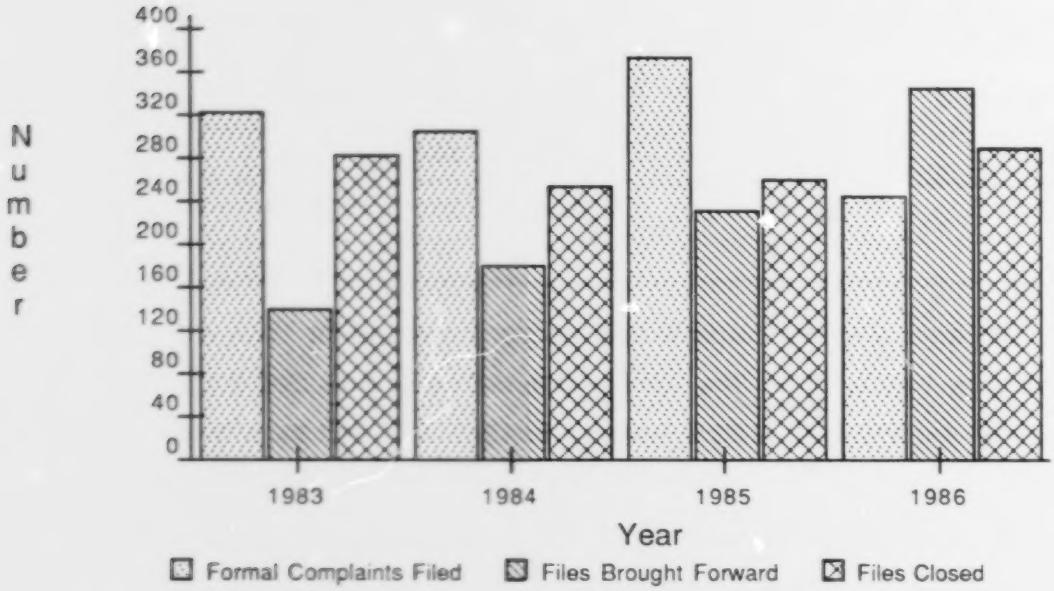
MANITOBA HUMAN RIGHTS COMMISSION

The Commission receives, investigates, and attempts to resolve complaints of unlawful discrimination as set out in The Human Rights Act. The grounds for discrimination include race, colour, nationality, ethnic or national origin, sex, marital status, physical or mental handicap, age, family status, source of income, religion, and political belief. It also develops and conducts educational programs designed to eliminate discriminatory practices. It works to promote understanding of the civil and legal rights of Manitobans, and to further the principle of equality of opportunity in the exercise of those rights. The Commission approves special programs designed to promote the socio-economic welfare and equality of disadvantaged persons who have been traditionally denied access to training, education, job experience or other opportunities.

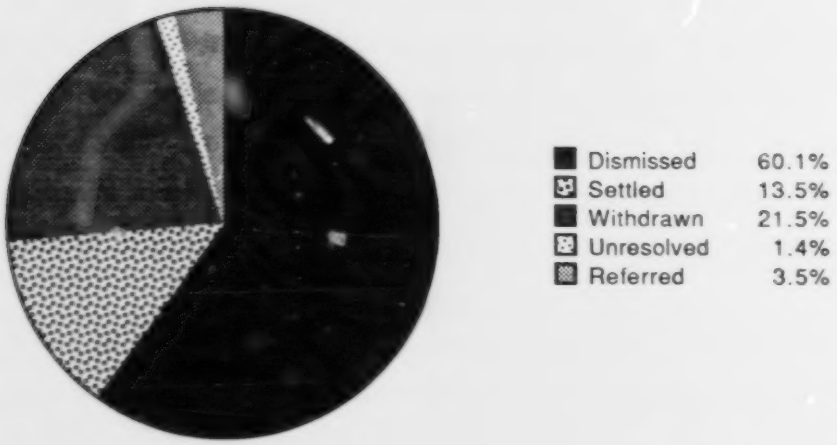
A Board of 13 Commissioners, appointed for three-year terms, meets on a monthly basis to discuss policy, activities, and the disposition of cases. A staff of 23 in offices in Winnipeg, The Pas, and a new location in Brandon, receives intake contacts. Less than 5% of the cases per year are referred for a public hearing by a Board of Adjudication. Most of the cases are dismissed or resolved through voluntary conciliation.

MANITOBA HUMAN RIGHTS COMMISSION:

MAJOR ACTIVITY AREAS



MANITOBA HUMAN RIGHTS COMMISSION:
DISPOSITION OF FORMAL COMPLAINTS, 1986
(N = 288)



Indicator Area	Number				% Change		
	1983	1984	1985	1986	1984	1985	1986
Initial Contacts	5165	5261	5395	4346	+ 1.8	+ 2.5	- 19.4
Formal Complaints Filed	323	304	374	245	- 5.8	+23.0	- 34.5
Files Brought Forward	140	181	232	345	+29.3	+28.2	+48.7
TOTAL	463	485	606	580	+ 4.8	+24.9	- 4.3
Files Closed	282	253	261	288	- 10.3	+ 3.2	+10.3

The area of intake contacts had modest increases for 1984 and 1985, while decreasing by 19% in 1986. The number of formal complaints filed fluctuated over the time period, experiencing a 23% increase in 1985, followed by a 34% decrease in 1986. The files brought forward continued to increase substantially over the four years with increases of nearly 30% for both 1984 and 1985, followed by nearly a 50% increase in 1986. Consequently, the total number of complaints under investigation and review did not decrease and in fact showed a 25% increase in 1985 and a modest decrease in 1986 of 4%. In addition, the number of files closed over the two most recent years showed increases with a 10% increase seen in 1986.

The Commission staff also handled an increasing number of "Special Programs" (affirmative action programs) applications under Section 9 of The Human Rights Act. The applications concerned plans or programs designed to promote disadvantaged class of persons in areas such as race, sex, family status and source of income which were given to the Commission for investigation and approval. An annual average of 28 Special Program applications for the four years were dealt with and peaked in 1985 with 40 applications received. Apart from investigation, the applications also involved consultation and assistance to applicants provided by the staff.

An examination of the disposition of formal complaints in 1986 (N=288) revealed that after investigation, 60% were dismissed where there was insufficient

evidence. The remaining 40% of the cases were either withdrawn (22%) or settled (14%) where a reasonable settlement was agreed upon by the involved parties. Only 4% of the cases were referred to the Board of Adjudication where a settlement had not been reached informally.

LEGAL SERVICES

The Legal Services Branch functions as the law firm to the government. It provides legal advice to all governmental departments, boards and commissions, except those which retain their own counsel. Matters concerning Family Law and Constitutional Law are handled by separate branches, with the cooperation of Legal Services in areas which overlap.

The legal services provided by the 25 lawyers in the branch range from the conduct of litigation to providing legal advice and opinions, and preparing contracts and other documents. Outside counsel is retained in situations where a conflict of interest would otherwise arise, or where the expertise required is so specialized in nature that it is not economically efficient to develop it within the branch.

Through the recently created Regulations Unit, the branch will provide a new service intended to complement and supplement the work of the Legislative Counsel with respect to regulations. The unit of three lawyers is responsible for reviewing current regulations in preparation for translation into French, and for assisting client departments in the preparation and drafting of regulations. Final approval of form rests with the Legislative Counsel.

Indicator statistics are not currently available from Legal Services. It is anticipated that information from the major areas of Legal Services will be available in the near future.

CONSTITUTIONAL LAW

The Constitutional Law unit was set up in August 1985, partly in response to the Supreme Court decision on language rights under the Constitution. Staff consists of a Director, a Research Director, and three lawyers. The unit is responsible for matters relating to constitutional law in both civil and criminal cases. It handles cases and appeals dealing with all matters of constitutional law, including the recent court application by prisoners at Stony Mountain Penitentiary to obtain the right to vote in provincial elections.

The branch conducts constitutional litigation and on request provides

opinions on constitutional matters to Legal Services lawyers. Constitutional Law is responsible for constitutional reform and aboriginal rights as these come under the obligations laid out in the Charter of Rights.

FAMILY LAW

Family Law, formerly part of Civil Litigation, began functioning as a separate branch in June, 1985. The branch develops, implements, and promotes family law policy, programs and procedures affecting family law. It works with the Family Division of the Court of Queen's Bench, and with other Government Departments, particularly Community Services in its Family Conciliation program. Areas of responsibility include all legislation relating to family law, such as marital property, child welfare, and family maintenance; litigation in the areas of maintenance enforcement and child protection; and assistance in the laying of charges in child abduction. In addition to the Director, there are three lawyers and three support staff in the branch.

The branch is also involved with family law on the Federal/Provincial level. For example, it participated in the formulation of the new Divorce Act 1985 (Canada), and the new Family Orders and Agreements Enforcement Assistance Act (Canada). The Director of the branch is the Chairperson of a Federal/Provincial Committee to develop a network for locating and returning children who have been abducted by a non-custodial parent.

LAW REFORM COMMISSION

The Law Reform Commission makes inquiries into, and considers any matter relating to, law in Manitoba with a view to making recommendations for the improvement, modernization and uniformity of law. It ensures that the administration of justice is improved through the removal of outdated and inconsistent laws, and the development of new approaches and new concepts responsible to the changing needs of society. It institutes and directs research, including studies and research relating to the laws and legal systems and institutions of other jurisdictions in Canada, with a view to making recommendations to the Attorney General

for the general reform and improvement of law in Manitoba.

Five Commissioners, including a chairperson, provide direction to the permanent staff of Director of Legal Research, two full-time and one half-time Legal Research Officers, and one full-time Secretary.

Five formal reports and one informal report were produced during the 1985-86 period. Projects included reviews of The Human Tissue Act, The Testators Family Maintenance Act, and The Married Women's Property Act.

PROPERTY RIGHTS DIVISION

MANITOBA LAND TITLES SYSTEM

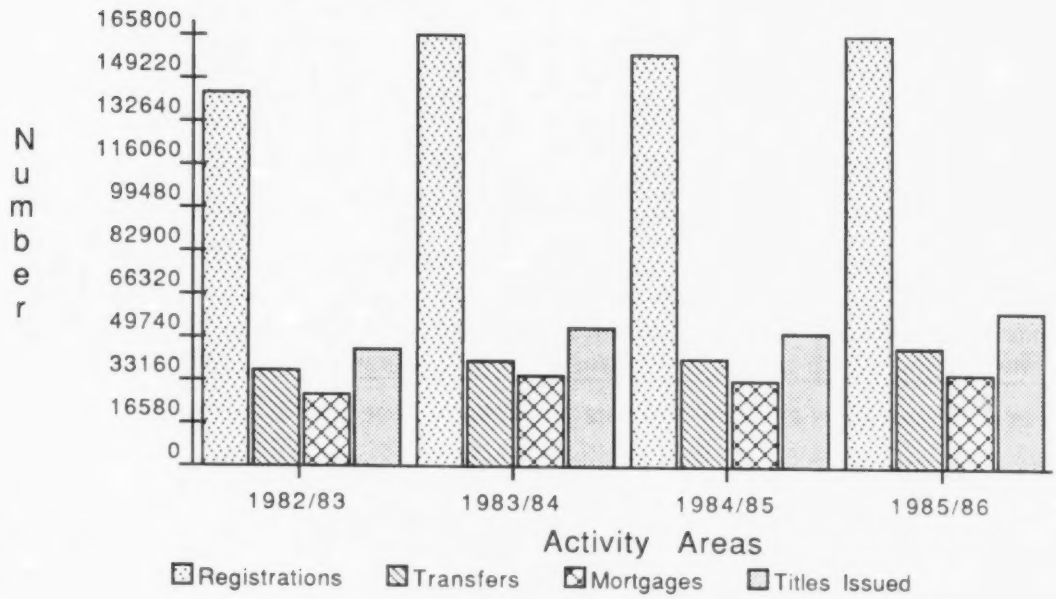
The Registrar-General's office is located in Winnipeg. He is the senior official and senior lawyer of the Manitoba Land Titles System. He deals with all amending legislation and regulations to The Real Property Act and related Acts, makes and enforces all rules of practice, and exercises general supervision over all district land titles offices. The district land titles offices are located in Winnipeg, Portage La Prairie, Brandon, Morden, Neepawa, and Dauphin.

The Surveys section, which performs plan registrations and surveys for subdivisions, condominiums and rights of way, is located in Winnipeg. This section is headed by the Examiner of Surveys who also has a deputy examiner of surveys. Both of these officers are Manitoba land surveyors.

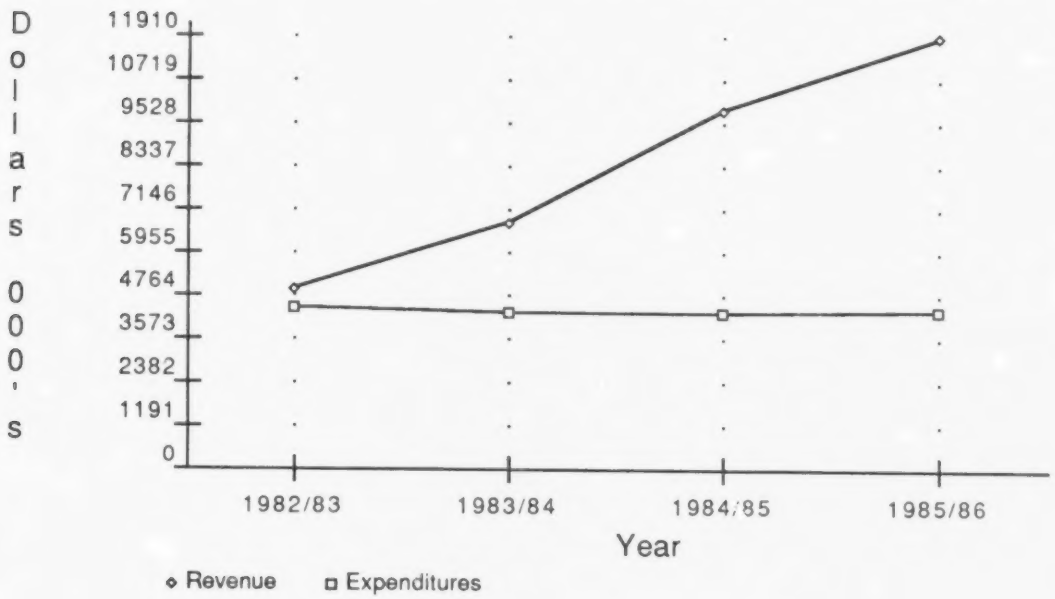
The Land Titles Office registers transfers of title when any piece of real property changes hands. Information on encumbrances on real property, such as mortgages, liens, caveats, or other restrictions, are also registered here.

Automation of the General Registry in Winnipeg was completed in April 1985. The entire land titles system is scheduled to be computerized, with certificates of title and related documents slated for the second phase of automation expected to be completed by 1991. When computerization is complete, all offices in the province will be fully automated, with available access to a central listing of every registration in the province. Registration of titles will continue to be done in each rural office.

MANITOBA LAND TITLES SYSTEM: MAJOR ACTIVITY AREAS



MANITOBA LAND TITLES SYSTEM: REVENUE/EXPENDITURE



Activity Area	Number				% Change		
	1982/83	1983/84	1984/85	1985/86	1983/84	1984/85	1985/86
Registrations	143,633	165,409	158,249	165,795	+13.2	- 4.3	+ 4.8
Transfers	36,637	40,836	40,996	45,627	+10.3	+ 0.4	+11.3
Mortgages	27,945	35,200	33,561	35,512	+20.6	- 4.6	+ 5.8
Titles Issued	45,403	53,237	51,465	59,666	+14.7	- 3.3	+15.9
Revenue ($ 000's)	4,952.6	6,831.3	9,902.8	11,901.0	+27.5	+31.0	+20.2
Expenditures ($ 000's)	4,443.8	4,327.2	4,284.9	4,366.6	- 2.6	- 1.0	+ 1.9

Activity in the areas of registrations, transfers, mortgages and titles issued peaked in 1985/86 over the four year fiscal period examined. Increases for the most recent year ranged from 4.8% for registrations to 15.9% for titles issued. Approximately 75% of all registrations annually come from Winnipeg. In addition, an increasing source of revenue is the registration of oil leases, especially in the Brandon/Virden areas.

While expenditures have remained relatively constant over the last four fiscal years, revenue has experienced steady and substantial growth increasing from 4.9 million to 11.9 million dollars during the same time period.

PERSONAL PROPERTY REGISTRY IN MANITOBA

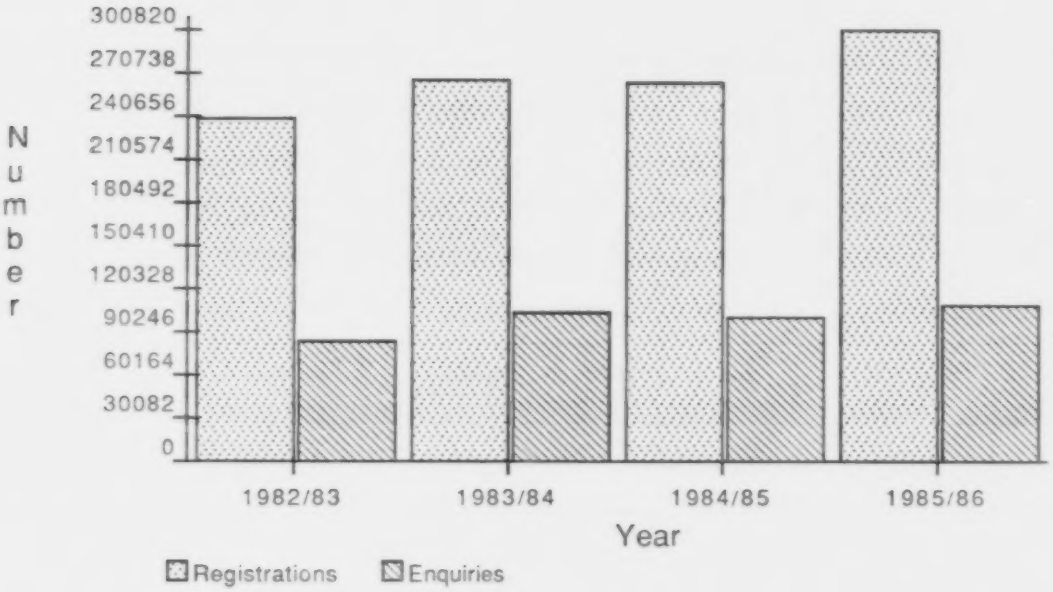
A Registrar and 19 clerks staff this branch, providing a central registry for the recording of interests in property other than real property. Virtually any item can be registered as long as there is a financial obligation attached, with cars being the most common item. The recording of property makes it possible for a person planning to buy an item to check first with the Registry to ensure there are no outstanding registered liens or other restrictions against it before making the purchase.

The Registry handles approximately 300,000 transactions a year on its fully automated system. A minimal fee is charged for each registration, which is valid for three years. All records are current as of the close of the business day; i.e. all registrations received on any business day will be entered into the computer on that same day.

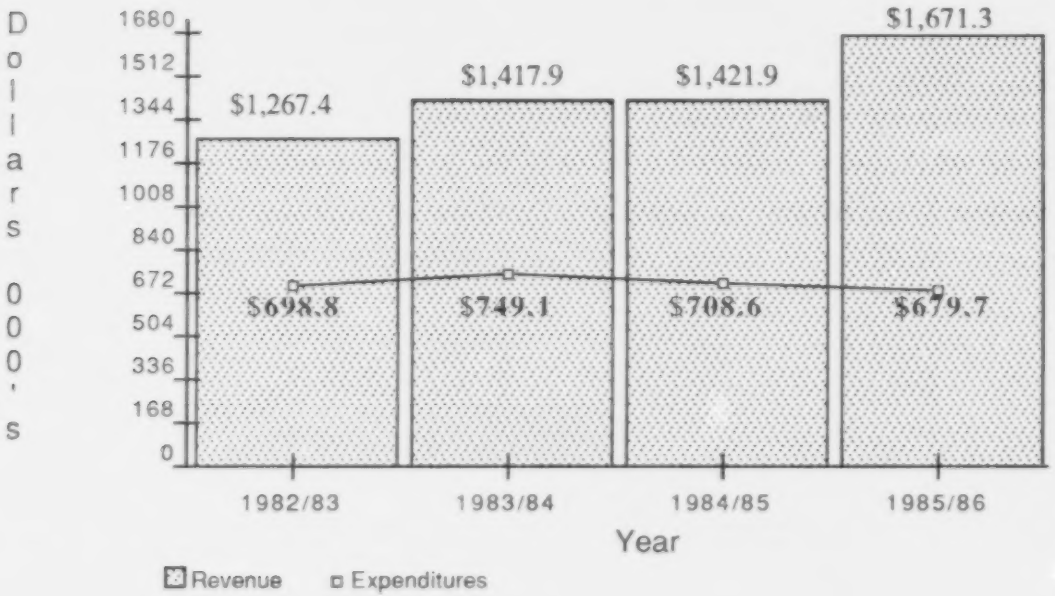
A special payment set-up is available for heavy users, such as banks, credit unions, and law firms. Four telephone operators staff the phone all day to answer inquiries. The fees for the inquiries are taken from a special payment-in-advance fund set up by the institution with the Registry.

The Registry is currently looking at submissions and recommendations for amending The Personal Property Security Act. One of the proposed amendments is to offer a variable term of registration, as opposed to the currently automatic three-year duration.

PERSONAL PROPERTY REGISTRY IN MANITOBA:
MAJOR ACTIVITY LEVELS



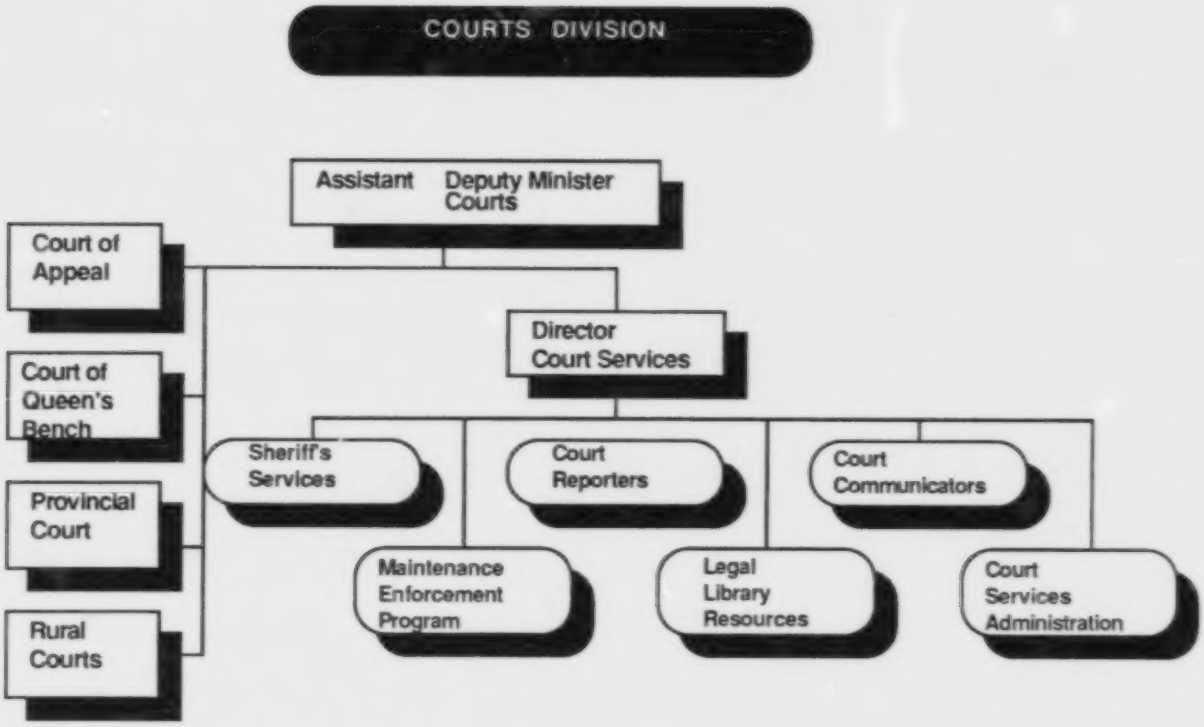
PERSONAL PROPERTY REGISTRY IN MANITOBA:
REVENUE AND EXPENDITURES



Indicator Area	Number				% Change		
	1982/83	1983/84	1984/85	1985/86	1983/84	1984/85	1985/86
Registrations	238,811	265,983	264,494	300,812	+10.2	- 0.6	+ 13.7
Enquiries (Total)	83,592	104,198	99,486	109,396	+19.8	- 4.5	+ 10.0
Verbal	63,524	78,744	75,036	80,065	+19.3	- 4.7	+ 6.7
Certified	20,068	25,454	24,450	29,331	+21.1	- 3.9	+20.0
Revenue ($ 000's)	1,267.4	1,417.9	1,421.9	1,671.3	+10.6	+0.3	+17.5
Expenditures ($ 000's)	698.8	749.1	708.6	679.7	+ 6.7	- 5.4	- 4.1

Increases were experienced in the number of registrations and enquiries in 1985/86, representing the highest numbers for each of those categories during the four fiscal years examined. Among enquiries, verbal enquiries consistently constituted roughly three-quarters of the activity for each of the years. However, certified enquiries saw the greatest increase in 1985/86 at 20%.

Revenue grew substantially during the period 1985/86 and can be attributed to the increases in the activity areas during the most recent year shown. Expenditures, on the other hand, continued to decrease in each of the last two years examined, resulting in a surplus of nearly $1 million in revenue after expenditures.



The Courts Division is responsible for the administration and operation of all courts in the Province, as well as essential services to support them. It is the largest division in the Department in terms of staff, and the second largest in terms of expenditures.

During 1985/86, Court Division was reorganized into four distinct programs: Manitoba Court of Appeal; Court of Queen's Bench, Winnipeg; Provincial Court, Winnipeg; and the Rural Courts. The Rural Courts program is responsible for the courts outside the City of Winnipeg, including Court of Queen's Bench, Provincial Court, and the management of the magistrate and justice of the peace program.

COURT OF APPEAL FOR MANITOBA

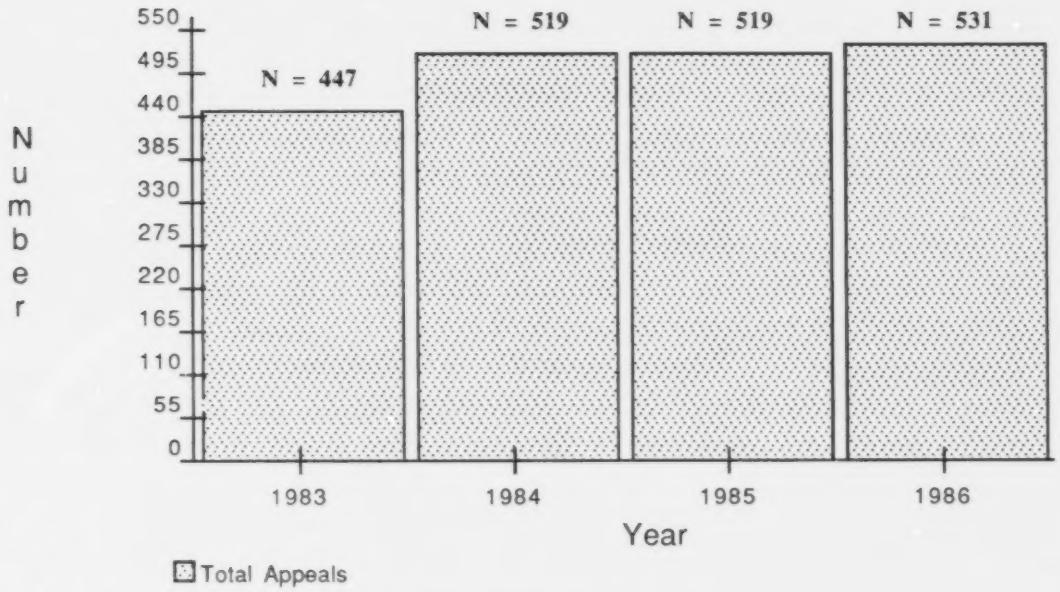
The Court of Appeal is the highest level court in Manitoba, dealing with cases heard previously by lower courts, boards or commissions. All cases filed with the Court of Appeal are heard in Winnipeg. The seven judges of the Court are appointed by the Federal Government. Cases are usually heard by a panel of three judges, except in those cases involving issues of a significant nature which are heard by five judges.

Appeals against a conviction or acquittal in a criminal case can be made by either a crown attorney or defence counsel. An appeal against a sentence can also be made by either counsel.

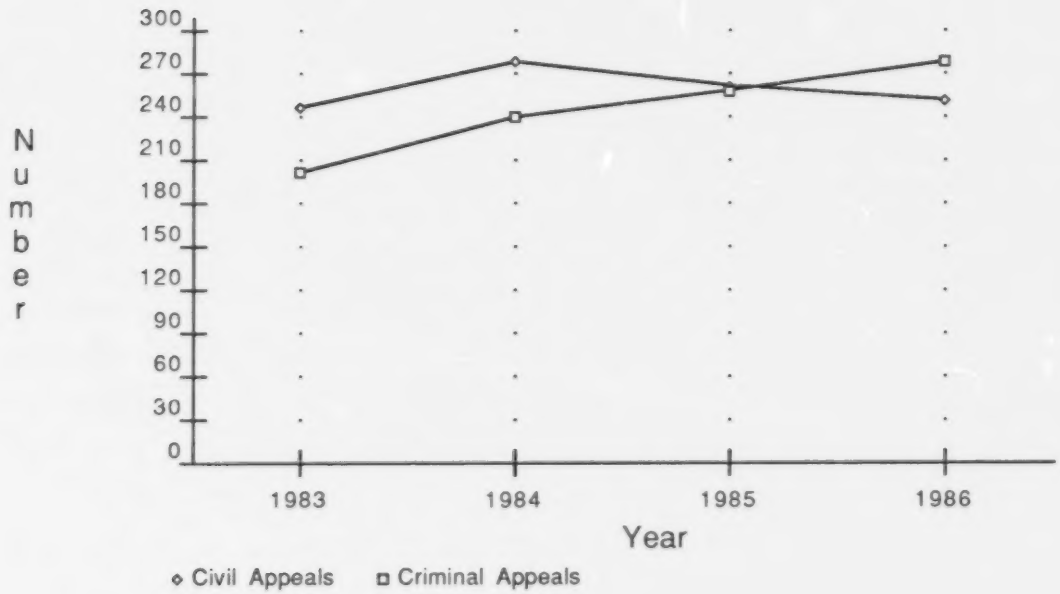
If a case is originally heard in the Provincial Court, an appeal may be launched in the Court of Queen's Bench or the Court of Appeal. If a summary conviction offence is appealed, it can only be heard in the Court of Queen's Bench. A further appeal could be heard in the Court of Appeal in limited circumstances. If the original charge was by indictment, an appeal is filed directly with the Court of Appeal. Initial appeals from Court of Queen's Bench are taken directly to the Court of Appeal.

Any party who is not satisfied with a civil case heard by a lower court, board or commisssion is allowed to appeal to the Court of Appeal in most cases. There are certain instances where the right of appeal is conditional upon a "leave to appeal" being granted by the Court.

COURT OF APPEAL: TOTAL APPEALS



MANITOBA COURT OF APPEAL: CIVIL AND CRIMINAL CASES



Activity Area	Number				% Change		
	1983	1984	1985	1986	1984	1985	1986
Total Appeals	447	519	519	531	+13.9	-	+ 2.3
Civil Appeals	246	279	261	252	+11.8	- 6.4	- 3.4
Criminal Appeals	201	240	258	279	+16.2	+7.0	+ 8.1

After having experienced nearly a 14% increase in 1984, the total number of appeals in Manitoba remained relatively stable over the two most recent years and experienced a modest increase of 2.3% in 1986. The type of appeal launched revealed that criminal appeals rose steadily over the four years and had surpassed civil appeals by 1986. Conversely, civil appeals experienced decreases in the two most recent years, having comprised 55% in 1983 to 47% of the total appeals in 1986.

Information on criminal appeals in 1986 revealed that they were primarily accused/defence. Approximately three quarters of the criminal cases appealed were initiated by the accused/defence. In addition, appeals based on sentence only were predominant and constituted roughly one-half of the accused/defence appeals and four-fifths of the crown appeals.

COURT OF QUEEN'S BENCH: CRIMINAL

The Criminal area of Court of Queen's Bench has exclusive jurisdiction to hear indictable offences by judge and jury or judge alone. It has appellate jurisdiction for summary conviction offences. The Court also deals with bail reviews and estreatal applications.

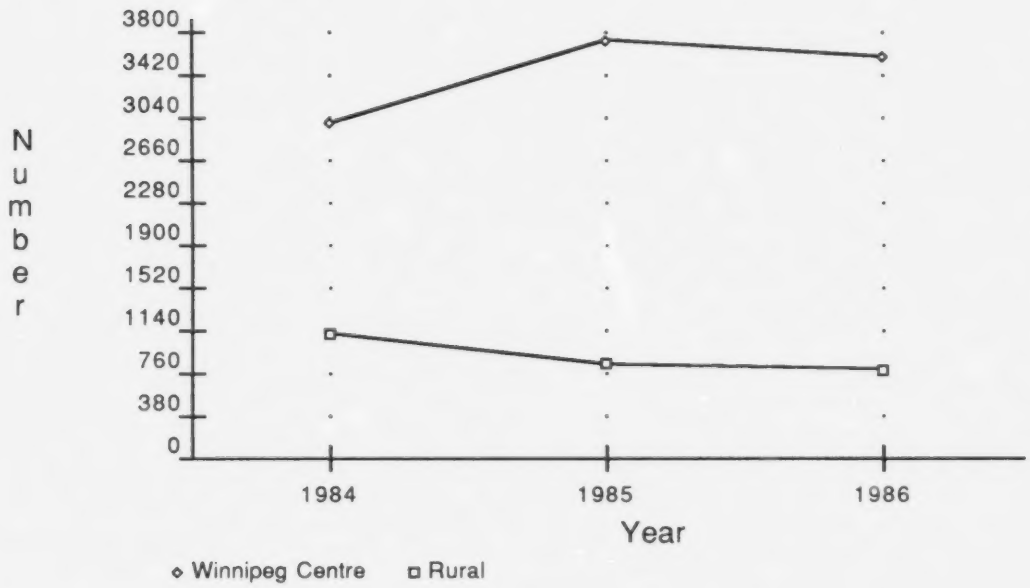
The reporting structure is being revised and comparative data is not available at this time.

COURT OF QUEEN'S BENCH: CIVIL

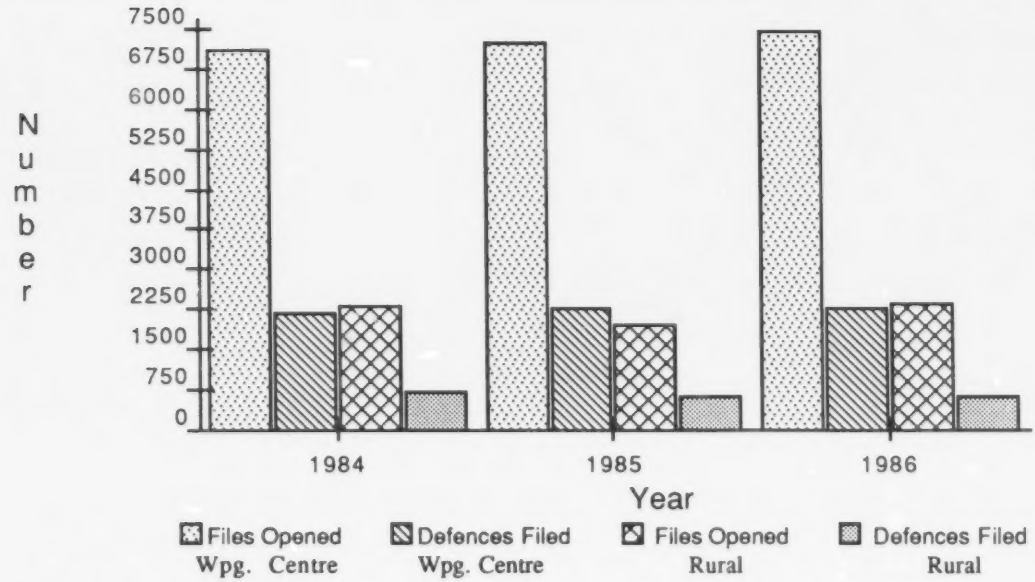
The Civil area of Court of Queen's Bench has jurisdiction over civil cases, apart from those handled in the Family, Small Claims and Probate areas and is the appellate division for small claims matters. A wide range of matters are dealt with by the Civil area and include the following major areas: civil suits relating to contracts, tort claims, enforcement of debts, claims against persons and landlord and tenant disputes.

Actions are commenced by statements of claim or originating notices of motion. Court procedures include interlocutory proceedings, interim motions, references, pre-trial conferences and trials.

COURT OF QUEEN'S BENCH: CIVIL
MOTIONS



COURT OF QUEEN'S BENCH: CIVIL
FILES OPENED/DEFENCES FILED
1984 - 1986



Indicator Area	Number 1984	1985	1986	% Change 1985	1986
Files Opened					
Winnipeg Centre	7118	7251	7461	+ 1.9	+ 2.9
Rural[1]	2272	1969	2323	-13.4	+18.0
Defences Filed					
Winnipeg Centre	2151	2265	2232	+ 5.3	- 1.4
Rural[1]	712	563	567	-20.9	+ 0.7
Motions[2]					
Winnipeg Centre	2996	3730	3585	+24.5	- 3.9
Rural[1]	1109	843	811	-24.0	- 3.8

[1] Includes all courts, apart from Q.B. Winnipeg Centre, where Queen's Bench matters are heard. There are 15 rural court locations where Q.B. matters can be filed.

[2] Motions refer to a scheduled court appearance, which is not a trial, to deal with applications relating to civil matters. Included are originating notices of motion and interim motions and there may be more than one hearing involved for each motion.

The number of files opened in the Civil Division for Winnipeg Centre saw modest increases in 1985 and 1986, while the Rural Courts experienced fluctuations with nearly a 14% decrease in 1985 followed by an 18% increase in 1986. The defences filed were relatively stable for both Winnipeg Centre and the Rural Courts in 1986 while the Rural Courts had just over a 20% decrease in 1985. The number of motions underwent nearly a 25% increase in Winnipeg Centre as opposed to an equivalent decrease in the Rural Courts in 1985, whereas 1986 saw modest decreases for each of the two areas. Just over three-quarters of the number of files opened, defences filed and motions took place in Winnipeg Centre as opposed to the Rural Courts in 1986.

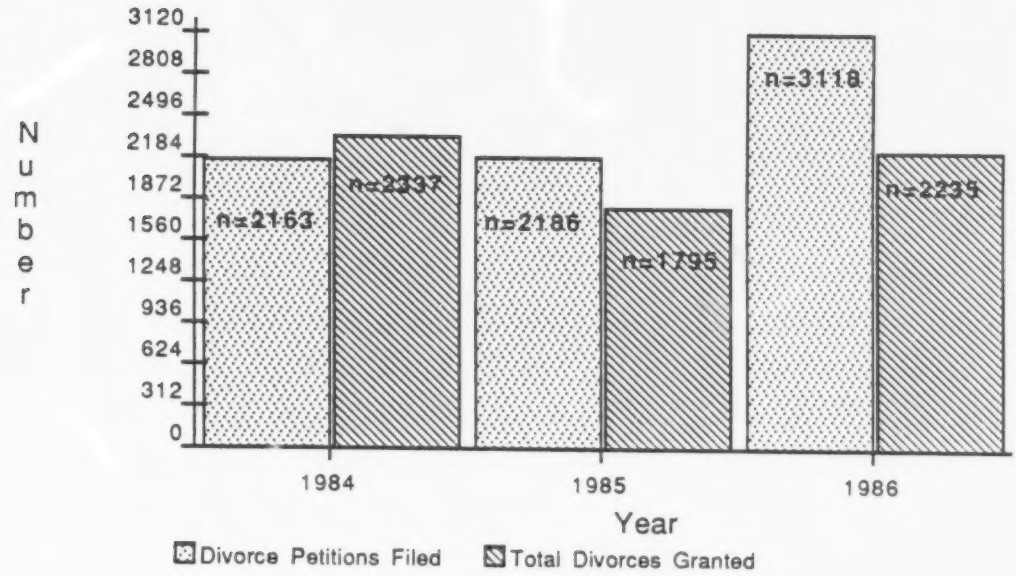
Additional information for 1986 revealed that there were 2,496 total judgments and 2,324 orders filed in Winnipeg Centre. There were 1,135 total judgments recorded for the Rural Courts during the same year.

COURT OF QUEEN'S BENCH:
FAMILY DIVISION

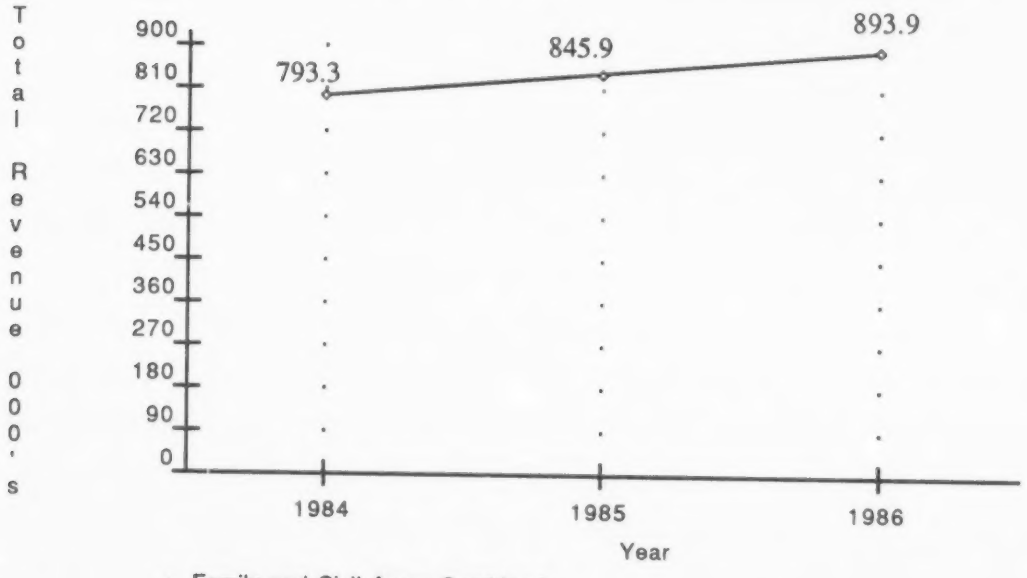
The Family Division was established in July 1984 to streamline court procedures by having all family law and child protection matters heard in one court. At present, the Division provides services to people living in Winnipeg, St. Boniface and Selkirk. Within these regions, the Court has the exclusive responsibility for all family law matters. Outside these areas, the Court of Queen's Bench shares responsibility for family law matters with the Provincial Court. Matters such as divorce, marital property, and adoption are the exclusive jurisdiction of the Family Division Court of Queen's Bench.

Actions are commenced by petition or application. Court proceedings include interim motions, references, appearances, pre-trial conferences and trials.

COURT OF QUEEN'S BENCH FAMILY DIVISION: DIVORCE PETITIONS FILED / TOTAL DIVORCES GRANTED



COURT OF QUEEN'S BENCH - FAMILY AND CIVIL AREAS: TOTAL REVENUE COLLECTED



Indicator Area Winnipeg Centre	Number			% Change	
	1984	1985	1986	1985	1986
Divorce Petitions Filed[1]	2163	2186	3118	+ 1.1	+ 42.6
Other Applications Filed[2]	n/a	n/a	3237	----	----
Total Files Opened	n/a	n/a	6355	----	----
Total Divorces Granted	2337	1795	2235[3]	- 23.2	+ 24.5
Total Revenue Fees Collected ($ 000's) Family and Civil Areas Combined	793.3	845.9	893.9	+ 6.6	+ 5.7

1 Divorce petitions can also include applications for relief under Provincial Statutes.

2 Includes applications for relief under Provincial Statutes, that do not include a divorce petition.

3 Included in the total divorces granted in 1986 are 1,520 Decrees Absolute under the old Divorce Act and 715 Divorce Judgments under the New Divorce Act (effective June, 1986).

The total files opened in the Family Division, Winnipeg Centre was 6,355 in 1986 (excluding applications for relief under Provincial Statutes included in a divorce petition). Overall, there was a 42.6% rise in the number of divorce petitions filed with most of that increase attributed to the new Divorce Act which came into effect in June of 1986. By contrast, the divorce petitions filed in 1985 saw a 1.1% increase. Other applications filed, primarily under The Family Maintenance Act, The Marital Property Act, and The Child and Family Services Act, numbered 3,237 in 1986. In addition, there were 6,849 motion hearings for the same year.

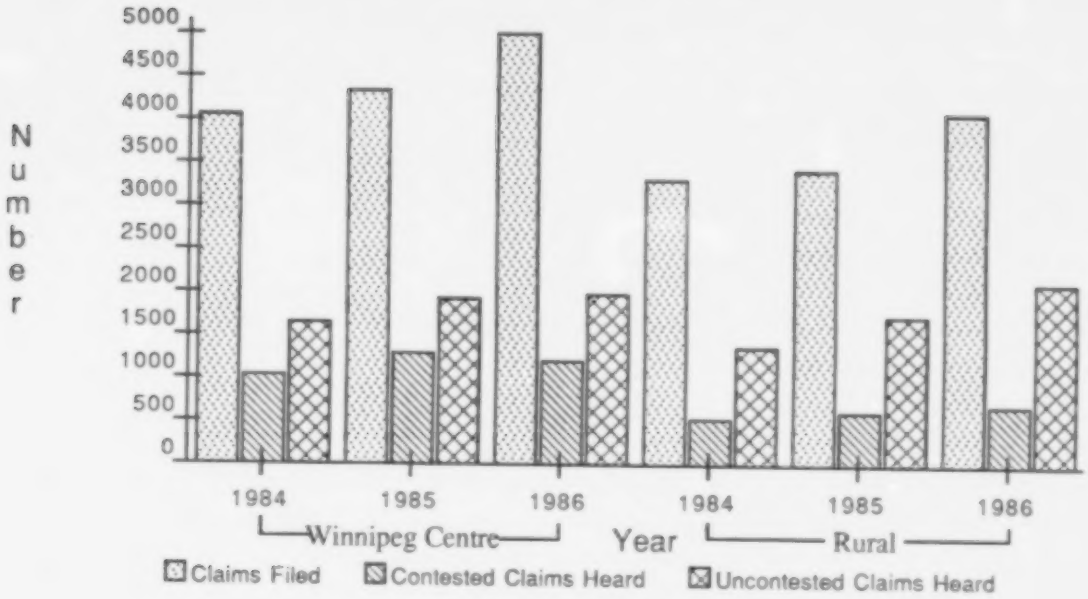
The total divorces granted reverted from a 23.2% decrease in 1985 to a 24.5% increase in 1986. Final divorces in 1986 came from both the old divorce legislation (decrees absolute numbered 1,520) and the new Divorce Act (divorce judgments numbered 715). The divorces granted under the new legislation that became effective in June, 1986 were substantial given that the first divorce judgment was granted in September of 1986, with 715 final divorces being granted from September to December of the same year.

The total revenue fees collected for the filing of documents in both the Family and Civil areas grew steadily over the three year period. Revenue reached a peak in1986 with $893.9 collected.

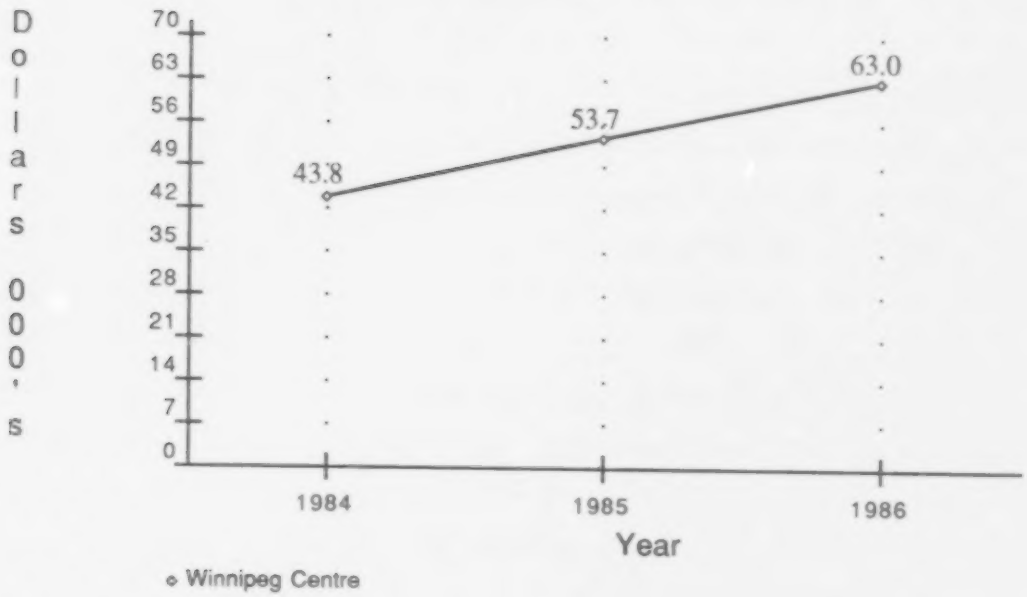
COURT OF QUEEN'S BENCH: SMALL CLAIMS

Small Claims Court hears and processes claims for a monetary amount not exceeding $3000. The maximum amount for a claim was raised from $1000. to $3000. in July of 1985. A Deputy or Assistant Deputy Registrar hears cases in the various Queen's Bench locations in the province. Small claims can be made in cases of debt, damage to property, rent arrears, and damages to rented premises, or breached contracts. The court does not collect money on behalf of complainants, but may issue garnishing orders or writs of execution empowering a Sheriff's Officer to seize and sell property to satisfy a debt.

SMALL CLAIMS: CLAIMS FILED



SMALL CLAIMS: REVENUE COLLECTED



Indicator Area	Number			% Change	
	1984	1985	1986	1985	1986
Claims Filed					
Winnipeg Centre	4058	4327	4998	+ 6.6	+15.5
Rural	3295	3408	4082	+ 3.4	+19.8
Contested Claims Heard					
Winnipeg Centre	1040	1285	1202	+23.6	- 6.5
Rural	531	605	700	+13.9	+15.7
Uncontested Claims Heard					
Winnipeg Centre	1648	1911	1959	+16.0	+ 2.5
Rural	1368	1711	2111	+25.1	+23.4
Revenue Fees Collected ($ 000's)					
Winnipeg Centre	43.8	53.7	63.0	+22.6	+17.3

The number of claims filed in Small Claims saw increases in 1986 with a 15.5% growth in Winnipeg Centre and a 19.8% growth in the Rural Courts which can in part be linked to the raising of the maximum claim to $3000 in July of 1985. Conversely, information available in 1984 for Winnipeg Centre revealed a modest increase in 1985 of 1.9%.

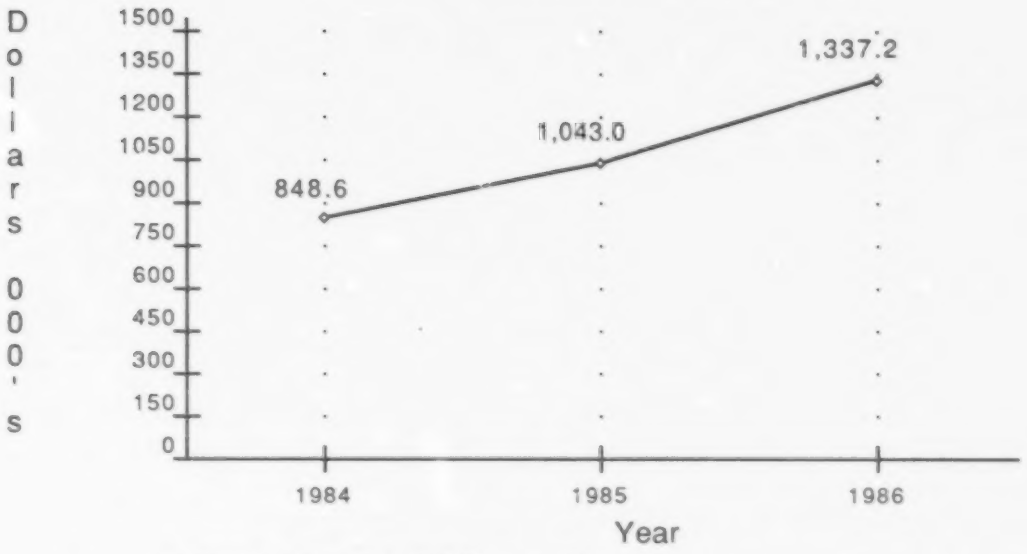
The contested claims heard in Small Claims for Winnipeg Centre revealed a substantial increase in 1985 (23.6%) followed by a moderate decrease in 1986 (6.5%). Contested claims heard for the Rural Courts saw increases of at least 13% for both 1985 and 1986. Uncontested claims heard also experienced substantial increases of at least 23% in 1985 and 1986 in the Rural Courts. Winnipeg Centre had 16.0% and 2.5% increases, respectively, for the two most recent years. In addition, there were 2,500 claims in Winnipeg Centre that were presumed settled since neither of the parties appeared for a scheduled court hearing in 1986.

The revenue fees collected for the filing of documents in Winnipeg Centre rose continuously during the three years and peaked in the most recent year at $63.0.

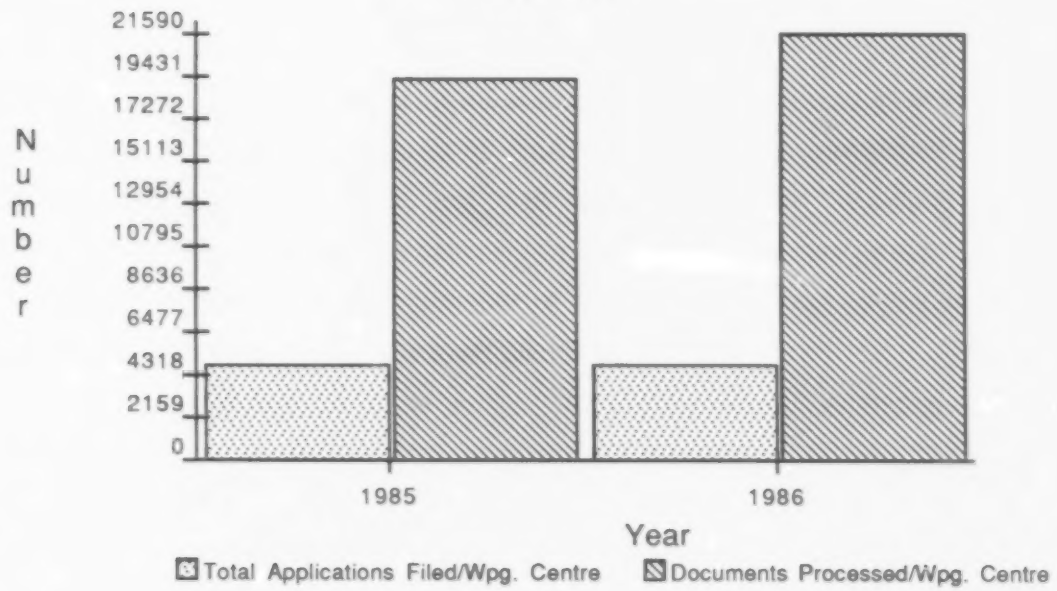
COURT OF QUEEN'S BENCH: PROBATE

The Probate area deals with applications relating to the finalizing of the estates of deceased persons. The reading and interpretation of a will, the appointment of an administrator if the person dies without a will, and the approval of the deceased person's property are some of the responsibilities. All processing and handling of cases for the Province takes place in Winnipeg, although individuals may file their applications in outlying areas.

COURT OF QUEEN'S BENCH - PROBATE:
REVENUE FEES COLLECTED



COURT OF QUEEN'S BENCH - PROBATE:
TOTAL APPLICATIONS FILED/DOCUMENTS PROCESSED
1985/86



Indicator Area Winnipeg Centre	Number			% Change	
	1984	1985	1986	1985	1986
Total Applications Filed	4231	4778	4804	+12.9	+ 0.5
Documents Processed	n/a*	19,336	21,585	----	+11.4
Revenue Fees Collected ($ 000's)	848.6	1,043.0	1,337.2	+22.9	+28.2

* Information was not available for 1984.

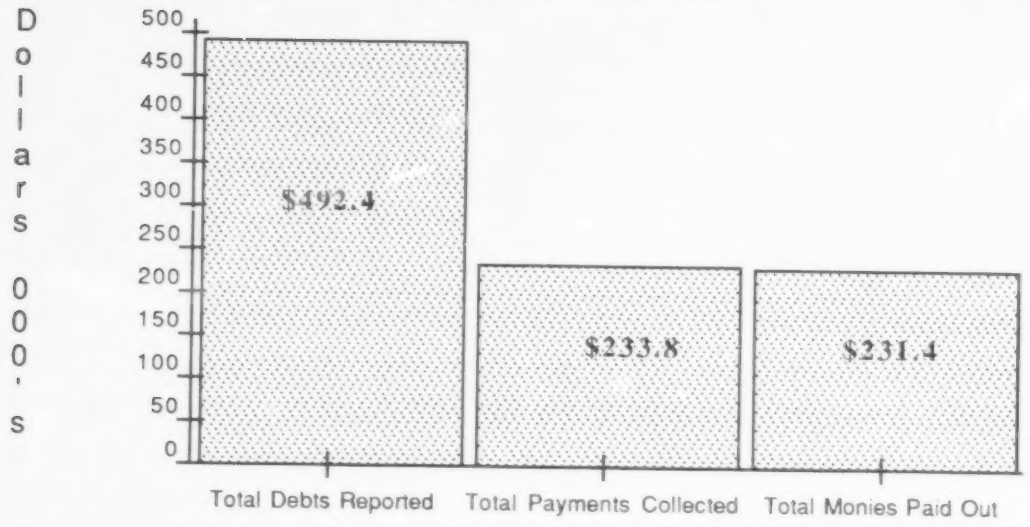
The number of total applications filed experienced a 12.9% increase in 1985 and remained relatively stable in 1986. The increase in the total applications filed in 1985 was influenced by the change in July of 1984, whereby all of the processing for probate applications is now being done in Winnipeg. Information on the number of documents processed was available for the two most recent years and showed an 11.4% increase in 1986. The revenue fees collected exhibited steady increases over the three years with increases in excess of 20% for 1985 and 1986.

ORDERLY PAYMENT OF DEBTS PROGRAM

The Orderly Payment of Debts Program is designed to assist persons who have become overwhelmed by debts and require administrative assistance in the payment of their debts. The Program is empowered to take over the administration of debt payments for those persons whose applications are accepted.

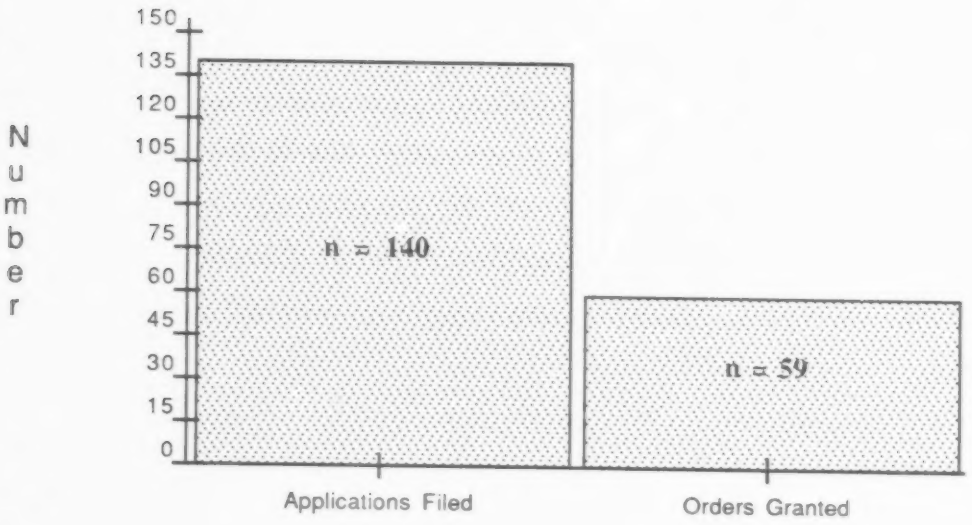
The process involves an application to the Program, an interview with the applicant, the contacting of the creditors involved and the setting up of a payment schedule (upon approval of the application). Approval of the application is dependent upon agreement from creditors to receive payments through the Program and the ability of the debtor to pay off debts within the statutory time limit of three years, unless the creditors agree to a longer time period for completion of payment. Upon approval, the person in debt makes a monthly payment to the Court, and the Court forwards the payment to the creditors every three months. Through this program, debtors are able to pay their debts without being sued by their creditors.

COURT OF QUEEN'S BENCH - ORDERLY PAYMENT OF DEBTS PROGRAM: TOTAL DEBTS REPORTED



Winnipeg Centre - 1986

COURT OF QUEEN'S BENCH - ORDERLY PAYMENT OF DEBTS PROGRAM: ACTIVITY AREAS



Winnipeg Centre - 1986

Winnipeg Centre	1986
Applications Filed	140
Orders Granted	59
Total Debts Reported ($ 000's)	492.4
Total Payments Collected ($ 000's)	233.8
Total Monies Paid Out ($ 000's)	231.4

In 1986, there were 140 applications filed with the Orderly Payment of Debts Division. In turn, there were 59 orders granted whereby monthly payments were made individuals in debt to the Court. The debts reported totalled $492.4 with $233.8 total payments collected and $231.4 being paid out by the Court to the creditors, on the individual's behalf.

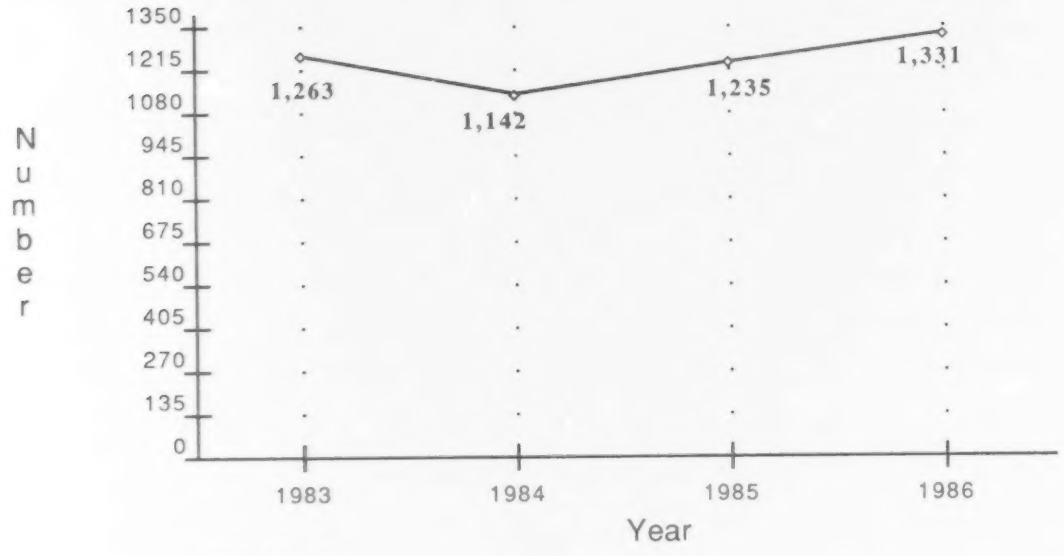
MAINTENANCE ENFORCEMENT PROGRAM

The Maintenance Enforcement Program commenced in 1980 in Manitoba and was the first program of its kind in Canada in utilizing computerized monitoring and an administrative enforcement system. The program has since been used as a model by other provinces when developing similar programs.

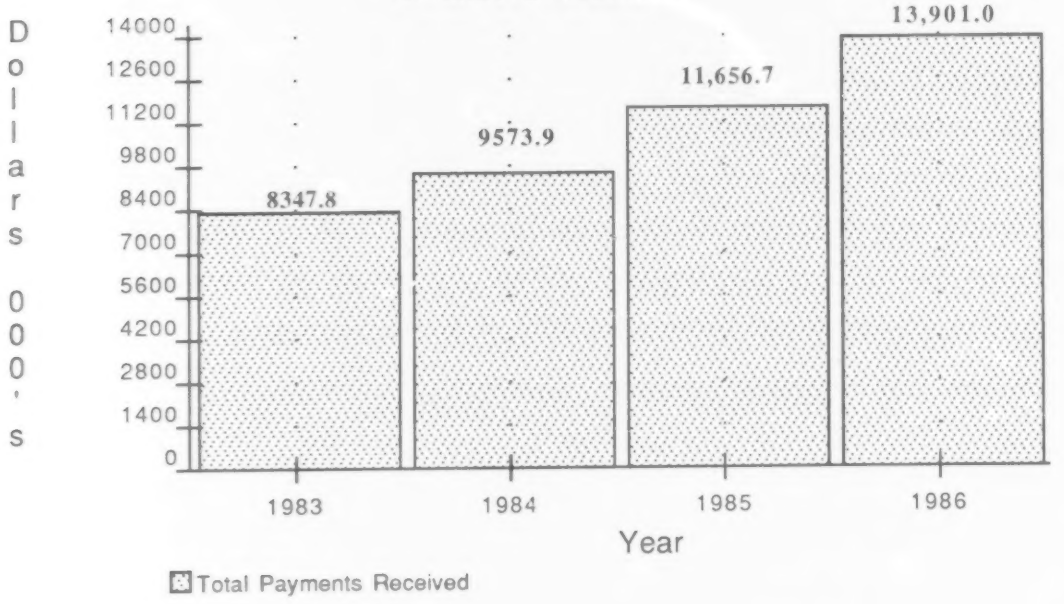
The Maintenance Enforcement Program functions in the monitoring and enforcing of all court orders stipulating maintenance payments. Court orders are automatically forwarded to the program for enrollment where they are monitored by the program's computer. The account record reveals missed payments or defaults, and initiates enforcement action as required. Enforcement may take the form of a summons or a garnishing order; seizure of personal property; registration of the default arrears in Land Titles; or the appointment of a receiver to ensure payment of maintenance. In Winnipeg, the staff includes a Program Manager, Family Maintenance officers and investigators, computer operators, accounts officer and administrative staff.

The program is operative throughout the Province and is the responsibility of the Provincial and Queen's Bench courts in rural areas. This facilitates the handling of matters in the payer's home area. An important aspect of the program is its ability to locate people who default on maintenance payments. These provisions are provided for through the statutory authority in The Family Maintenance Act which allows for disclosure of information on the whereabouts of maintenance defaulters from various sources, including Government departments, employers, and private parties.

MAINTENANCE ENFORCEMENT PROGRAM: NEW ACCOUNTS



MAINTENANCE ENFORCEMENT PROGRAM: PAYMENTS RECEIVED



Indicator Area	Number				% Change		
	1983	1984	1985	1986	1984	1985	1986
Total No. of Accounts	8,554	9,696	10,931	12,262	+11.8	+11.3	+12.2
New Accounts	1,263	1,142	1,235	1,331	- 9.6	+ 7.5	+ 7.8
Existing Accounts[1]	5,708	6,845	6,595	6,391			
Deleted Accounts[1]	1,583	2,069	3,101	4,540			
Total Payments Received ($ 000's)	8,347.8	9,573.9	11,656.7	13,901.0	+12.8	+17.9	+19.2
Funds Recovered by Program ($ 000's)[2]	741.6	806.9	923.8	1,015.0	+ 8.0	+12.6	+ 9.9

[1]Since 1985, a major streamlining procedure was introduced which resulted in files that had previously been considered active being terminated. As a result, any comparison over time of either existing or deleted accounts is inaccurate, given that existing accounts are over-represented prior to 1985.

[2]These funds are classified as the dollars recovered by the Maintenance Enforcement Program that would otherwise have been paid out by the Government in the form of Social Assistance programs.

The number of new accounts in the Program has risen by just over 7% during each of the last two years. The average number of new accounts over the four year period is approximately 1,240 per year. A breakdown of responsibility areas for active cases (new and existing accounts/n=7,722) which is available for 1986 and indicates that 64% were from Winnipeg, 22% were from rural courts and 14% were from Family Conciliation in the Department of Community Services (enforces only Reciprocal Orders where the payor lives in another province or country).

The total maintenance payments received has continued to increase over the last three years with just over $13.9 million received in 1986; of the total payments, the responsibility area distribution was as follows: Winnipeg/70%; rural courts/19%; and, Family Conciliation/12%. Finally, the Program recovered funds which offset Social Assistance payments of just over $1 million in 1986 with an approximate average 10% increase in funds recovered over each of the last three years.

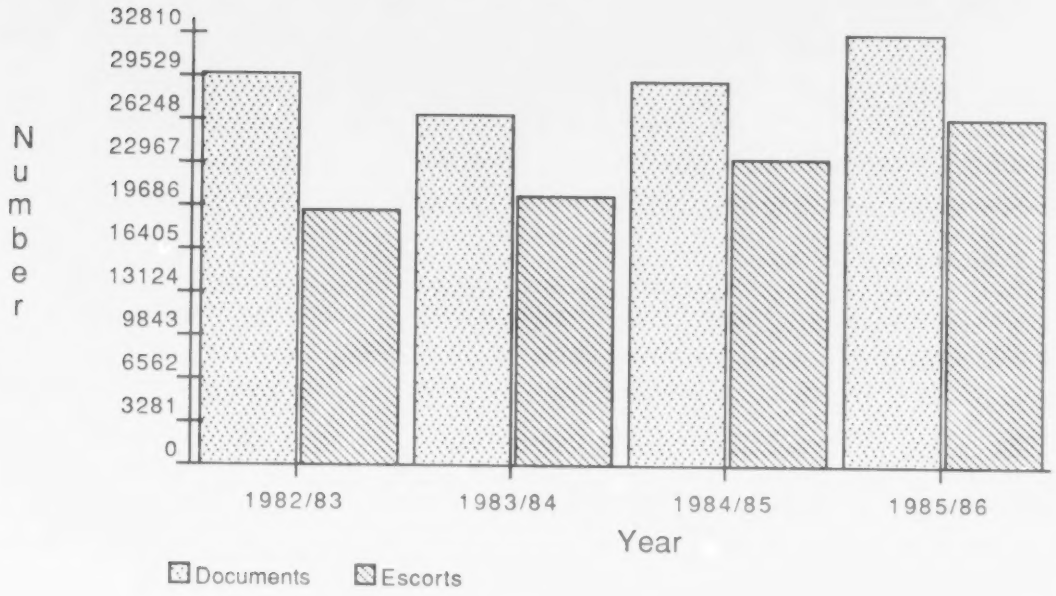
SHERIFF'S SERVICES IN MANITOBA

The Sheriff's Office is responsible for many duties on both the civil and criminal sides of the court process. Among the civil duties are: serving (delivering) court documents for all government Departments including Legal Aid and Maintenance Enforcement; enforcing Queen's Bench orders such as Writs of Execution and court-ordered evictions where a landlord has exhausted all other legal means for removal and possession; conducting investigations to both locate defaulting spouses under the Family Maintenance Act.

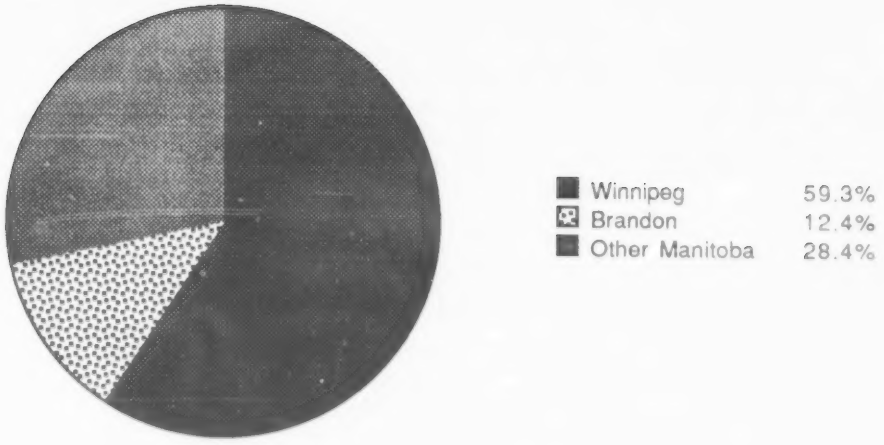
Duties in the criminal area include: service of subpoenas to witnesses in criminal courts; summoning and assembling jury panels for court trials and jury supervision/management during trials; maintaining security and order in all courts throughout the province; and prisoner escort. In recent years prisoner escort has become a major part of the Sheriff's workload. Persons in custody, including federal penitentiary inmates, are escorted from lock-ups and institutions to all court appearances and returned. Custody escorts also include patients committed to institutions under The Mental Health Act.

The Chief Sheriff, reporting to the Director of Court Services, is located in Winnipeg. Sheriffs function as area managers in Winnipeg, Brandon, Dauphin, Portage La Prairie, The Pas, and Thompson. Approximately 80 Sheriff's Officers carry out daily field and courtroom duties.

SHERIFF'S SERVICES: DOCUMENT AND ESCORT SERVICES



SHERIFF'S SERVICES: EXECUTION OF WRITS AND OTHER COURT ORDERS
N = 1,681



Activity Area	Number				% Change		
	1982/83	1983/84	1984/85	1985/86	1983/84	1984/85	1985/86
Executions[1]	1,812	1,773	1,824	1,681	- 2.2	+ 2.8	- 7.8
Documents	29,662	26,642	29,216	32,808	-10.2	+ 8.8	+12.3
Escorts[2]	19,240	20,363	23,374	26,399	+ 5.5	+12.9	+12.9

1 Includes Writs and other Court Orders.

2 Does not include escorts within Public Safety Building - approximately 10,000 per year from holding cells to courtrooms. In addition, figures for youths escorted in The Pas and Brandon for 1982/83 were not available.

The area of executions which comprises writs and other court orders experienced minor decreases and increases over 1983/84 and 1984/85, followed by a decrease of almost 8% for 1985/86. Documents and escorts, on the other hand, saw increases for the two most recent years with increases in excess of 12% in 1985/86 for each area.

A breakdown of Sheriff's Office activities by location indicated that the majority of the workload was in Winnipeg, accounting for 59% of the execution, 82% of the document and 72% of the escort services provided. The other locations, being Brandon and the remaining locations in Manitoba, accounted for 12% and 28% of executions, 9% and 10% of documents, and 10% and 18% of escorts, respectively. Among escorts, nearly 92% were provided for adults as compared to 8% for youths in the province.

COURT REPORTERS

Court Reporters are responsible for providing a verbatim record of the evidence and proceedings in civil and criminal trials. They cover cases in Court of Queen's Bench and Provincial Court. They do not cover the Court of Appeal, traffic cases, or cases heard by a limited jurisdiction magistrate. They are also required to provide for a fee, typed transcripts of court proceedings when requested by judges, lawyers or members of the public.

The Chief Court Reporter is in charge of the branch with two senior court reporters to assist with scheduling and supervision. There are 39 court reporters in Winnipeg, and 14 others in various locations in the rest of the province.

COURT COMMUNICATORS

The responsibility of the court communicators is to assist native people in developing a better understanding of their rights, interests, privileges and obligations in relation to the criminal justice system. The court communicator's role is to explain the court process, the nature of the charges involved, the possible outcomes of a court case, and to provide assistance in obtaining a lawyer. If a native person requires assistance in filling out applications for Legal Aid or other benefits, the court communicator will assist in that process as well. Most of their work is done outside the courtroom, consulting with clients' lawyers and performing other duties as required. They also attend court to provide guidance and support and can provide the court with relevant information regarding the accused.

There are ten court communicators in Manitoba, under the direction of a Chief Court Communicator in Winnipeg. They are located throughout the province in Fort Alexander, Brandon, Dauphin, The Pas, Thompson and Grand Rapids as well as in Winnipeg. They travel to various locations within their area as required. The program is jointly funded by the provincial and federal governments.

PROVINCIAL COURT

Provincial Court is the only court in Manitoba to exercise an exclusively "original" jurisdiction, hearing all cases for the first time and not hearing appeals. In general, less serious offences are tried in Provincial Court. The court has exclusive jurisdiction over all summary offences, as well as some of the less serious indictable offences, including assault, theft under $1000. and obtaining money by false pretences. Of all criminal proceedings in the province, 95% are heard in Provincial Court. Judges of the Provincial Court are appointed by the Provincial Government.

Provincial Court is divided into three main areas, Criminal, Youth and Family Court sits in five areas in Winnipeg, and in many locations in the province. Traffic cases, private prosecutions and lesser matters are handled by magistrates and justices of the peace.

The Criminal Division handles criminal charges against adults involving summary conviction offences and some indictable offences. It is also responsible for conducting preliminary hearings for more serious indictable offences.

The Youth Court is responsible for all charges under the new Young Offenders Act (Canada) brought against young people between the ages of 12 and 17.

The Family Division hears family disputes such as child custody and family maintenance (but not divorce). This section of the Provincial Court operates in all areas of the province outside of Winnipeg, St. Boniface and Selkirk. Family matters in the latter three court locations are heard in Queen's Bench Family Division.

Comparable statistics from the Provincial Court locations in Winnipeg and the rural areas are not presently available for inclusion in this report. It is anticipated that pertinent indicators for Provincial Court will be available in the near future.

APPENDIX

APPENDIX 1
CRIMINAL CODE OFFENCES:
QUARTERLY YEAR FIGURES, 1983 - 1986

Crim. Code Offences	1983				1984				1985				1986			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
PERSONS																
Winnipeg	1059	1184	1295	1160	1111	1236	1239	1159	1210	1376	1355	1280	1304	1474[1]	1474[1]	1418[1]
Brandon	53	84	119	85	99	96	119	127	84	99	116	82	88	86	104	106
RCMP																
Rural	514	686	726[3]	726[3]	669	778	889	691	709	909	990	704	727	822	946	779
Municipal	287	368	352[3]	352[3]	346	385	337	396	356	394	429	409	362	454	439	338
PROPERTY																
Winnipeg	11352	14904	14395	11627	11346	14005	14380	11862	10450	14805	15178	12335	12405	15224[1]	15788[1]	12969[1]
Brandon	698	1057	1083	810	744	1013	884	769	715	1059	1133	778	905	1200	1483	909
RCMP																
Rural	3478	3201	2970[3]	2970[3]	4494	2814	3213	2337	2438	4658	3591	2176	1859	3072	3708	2702
Municipal	1663	2036	1239[3]	1239[3]	1480	1947	2100	1403	1199	1920	2097	1522	1282	2163	2343	1886
OTHER CC																
Winnipeg	3511	4307	3846	3791	3692	4374	4139	3760	3563	4673	4840	4671	4549	5340[1]	5142[1]	4747[1]
Brandon	317	302	486	367	364	370	357	324	324	324	315	300	293	363	382	326
RCMP																
Rural	1304[2]	2072[2]	2532[2]	1765[2]	1336	2073	2514	1555	1210	1982	2449	1645	1298	2110	2385	1756
Municipal	964[2]	1301[2]	1397[2]	1157[2]	1170	1466	1533	1324	1043	1331	1552	1203	1107	1560	1710	1280

[1] WINNIPEG - ACTUAL DATA WAS NOT AVAILABLE FOR THE LAST THREE QUARTERS OF 1986 DUE TO COMPUTERIZATION OF POLICE RECORDS.
- PROJECTIONS FOR Q2, Q3, AND Q4 WERE BASED ON WEIGHTED RATIOS FOR 1983, 1984 AND 1985, AND RECORDED ACTUAL STATISTICS FOR THE FIRST QUARTER OF 1986.

[2] RCMP RURAL - YTD PROJECTION FROM RCMP, THEN QUARTER PROJECTIONS ADJUSTED BY WEIGHTED RATIOS (.17, .27, .33, .23) FOR 1984 THRU 1986
MUNICIPAL - YTD PROJECTION FROM RCMP, THEN QUARTER PROJECTIONS ADJUSTED BY WEIGHTED RATIONS (.20, .27, .29, .24) FOR 1984 THRU 1986.

[3] 1984 (Q4 YTD - Q2 YTD) ÷ 2